

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 9, 2008

08-0120  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis  
(\*9:39 a.m.), Atkins, Kadane, Allen, Koop, Natinsky, Rasansky,  
Hunt (\*9:48 a.m.)

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 T. L. Brown, Pastor of Ervay Cedar Missionary Baptist Church.

Councilmember Natinsky 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 3:04 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.

**\* Indicates arrival time after invocation and pledge of allegiance.**

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 9, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 9, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0121

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: Christopher Head, 9339 San Fernando Way  
REPRESENTING: Texas Public Workers Association (a/k/a Municipal Employes)  
SUBJECT: City Employees

SPEAKER: Calvin Robinson, 4502 Gaston Ave.  
REPRESENTING: Myself and the people of the southern sector  
SUBJECT: Crime and help on criminal business activities

SPEAKER: Priscilla Blancas, 6260 Melody Lane  
SUBJECT: Proposed rezoning of residential property - Timbercreek

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Albert Parker, 6318 Elam Rd.  
SUBJECT: Oath of Office – No Exemption

SPEAKER: Regina Rafraf, 5824 Covehaven Dr.  
REPRESENTING: Baha'i Faith of Dallas  
SUBJECT: Rezoning of 4235 Northwest Highway

SPEAKER: Billy Kelly, 2653 Heatherwood Dr.  
REPRESENTING: Bahais of Dallas  
SUBJECT: Property on Northwest Highway

SPEAKER: Fariba Talehi, 7523 Aberdon Rd.  
REPRESENTING: The Baha'i Faith  
SUBJECT: Property on Northwest Highway

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0121

Page 2

**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, P. O. Box 50694  
REPRESENTING: The Trinity Reunion Church and the Community at Large  
SUBJECT: Revelation: Restitution, Restoration, Do Good, Do Right, Do Well in  
The Name of Jesus, Amen, Amen

SPEAKER: Leslie Davis, 3035 E. Ledbetter Dr.  
SUBJECT: Problems with the Dallas Police Department and City Employees

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0122

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

Councilmember Hill moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0123

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-21 and addendum addition consent agenda items 1-5, were presented for consideration.

Mayor Pro Tem Garcia requested that consent agenda item 19 be considered as an individual item. Mayor Leppert stated that consent agenda item 19 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Councilmember Rasansky requested that consent agenda items 6, 11, 12, 13, 14, and 20 be considered as individual items. Mayor Leppert stated that consent agenda items 6, 11, 12, 13, 14, and 20 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Deputy Mayor Pro Tem Caraway moved to approve all items on the consent agenda with the exception of consent agenda 6, 11, 12, 13, 14, 19, and 20 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0124

Item 2: Authorize a nine-year and nine-month lease with the Federal Aviation Administration for approximately 211 square feet of technical space for equipment placement in the air traffic control tower at Dallas Executive Airport  
- Annual Revenue: \$1,266

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0125

Item 3: Authorize a professional engineering and consulting services contract to conduct a wireless communications vulnerability assessment study - RCC Consultants, Inc., most advantageous proposer of two - Not to exceed \$249,991 - Financing: Urban Area Security Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0126

Item 4: Authorize an eighteen-month professional services contract for Phase II to implement an ISO 9001 Quality Management System - The University of Texas at Arlington/Texas Manufacturing Assistance Center, Interlocal Agreement - Not to exceed \$215,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0127

Item 5: Authorize a thirty-six-month master agreement for chemicals to clean water treatment filters and flumes at three water treatment plants - Chemrite, Inc. in the amount of \$670,794 and Sunbelt Pools, Inc. in the amount of \$98,366, lowest responsible bidders of two - Total not to exceed \$769,160 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0128

Item 6: Authorize a twenty-four-month master agreement for the purchase of plumbing supplies, pipe and pipe fittings - Ferguson Enterprises, Inc. in the amount of \$370,978, Municipal Water Works Supply, L.P. in the amount of \$337,160, and HD Supply Waterworks, Ltd. in the amount of \$41,675, lowest responsible bidders of three - Total not to exceed \$749,813- Financing: Water Utilities Current Funds

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

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

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0129

Item 7: Authorize the purchase of two pad mounted mobile transformers with trailers to be used by Dallas Water Utilities - Brandon and Clark, Inc., lowest responsible bidder of four - Not to exceed \$462,592 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0130

Item 8: Authorize settlement of a claim filed by Veva Enterprise, Inc., Claim No. 07176968 - Not to exceed \$15,087 - Financing Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0131

Item 9: Authorize annual software maintenance in support of the CityLaw performance-based tracking system from Cycom Data Systems, Inc., for the period November 1, 2007 through October 31, 2008 - Sole Source - Not to exceed \$45,468 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0132

Item 10: Authorize an ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2007-10-269 to amend the Construction and Fire Prevention Standards Resolution, previously approved by Resolution No. 88-147, as amended, to adopt the 2005 National Electrical Code and certain 2006 series model codes published by the International Code Council, Inc., and to amend the overall gas exploration and production program contained in Part Nine - Oil and Gas Exploration and Production of the Construction and Fire Prevention Standards Resolution - Financing: No cost consideration to the City

Deleted on the addendum.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0133

Item 11: Authorize moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Gloria Alardin in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$50,100 - Financing: 2003 Bond Funds (\$35,100) and Deerfield Housing Funds (\$15,000)

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

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0134

Item 12: Authorize **(1)** the City Manager to execute Release of Builder's and Mechanic's Lien Contract and Deed of Trust and Termination of Deed Restrictions and proceed with acquisition of property; and **(2)** moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Gwendolyn Alexander in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$18,700 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 12 be considered as an individual item. Mayor Leppert stated that consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0135

Item 13: Authorize **(1)** the City Manager to execute Release of Builder's and Mechanic's Lien Contracts and Deeds of Trust and Termination of Deed Restrictions and proceed with acquisition of property; and **(2)** moving expense and replacement housing payments for Anita L. Davis in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$20,000 - Financing: 2003 Bond Funds

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

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

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0136

Item 14: Authorize **(1)** the City Manager to execute Release of Builder's and Mechanic's Lien Contract and Deed of Trust and Termination of Deed Restrictions and proceed with acquisition of property; and **(2)** moving expense and replacement housing payments for Velma L. Harper in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$31,200 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 14 be considered as an individual item. Mayor Leppert stated that consent agenda item 14 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 14 was brought up for consideration.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0137

Item 15: Authorize consent to the creation of a Municipal Utility District to be known as Brooklyn Crossing Municipal Utility District No. 1 within the City of Dallas' extraterritorial jurisdiction to include approximately 98 acres on property located in Kaufman County, east of Lake Ray Hubbard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0138

Item 16: An ordinance abandoning portions of Trunk Avenue to Tall Cotton Properties, Ltd. and Patricia L. Stahl, the abutting owners, containing a total of approximately 4,904 square feet of land located near its intersection with Elm Street, and authorizing the quitclaim and providing for the dedication of approximately 442 square feet of land needed for street right-of-way - Revenue: \$72,080 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27053.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0139

Item 17: An ordinance abandoning a portion of a sanitary sewer easement to Anland 2A, L.P., the abutting owner, containing approximately 3,792 square feet of land located near the intersection of Victory Avenue and Lamar Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27054.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0140

Item 18: Authorize revisions to Rule XXIII of the Civil Service Code of Rules and Regulations related to requirements for Trainee Police Officers - No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0141

Item 19: Authorize a Memorandum of Understanding between the Dallas Police Department Family Violence Unit and the Dallas Independent School District Child Abuse/Domestic Violence Office to participate in a family violence prevention education program for elementary school students - Financing: No cost consideration to the City

Mayor Pro Tem Garcia requested that consent agenda item 19 be considered as an individual item. Mayor Leppert stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Later in the meeting, agenda item 19 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0142

Item 20: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Endicott Lane from Moberly Lane to 833 feet east of Moberly Lane - RKM Utility Services, Inc., lowest responsible bidder of six - \$820,921 - Financing: 2003 Bond Funds (\$542,220) and Water Utilities Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 20 be considered as an individual item. Mayor Leppert stated that consent agenda item 20 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 20 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0143

Item 21: Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Elam Road at Masters Drive in an amount not to exceed \$15,828; and **(2)** a local match in an amount not to exceed \$3,957 - Total not to exceed \$19,785 - Financing: Texas Department of Transportation Grant Funds (\$15,828), Current Funds (\$3,957)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0144

08-0145

Item 22: 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 JANUARY 9, 2008.

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.

Deputy Mayor Pro Tem Caraway moved to appoint Preston Pearson, Representative of Animal Welfare Organization, to the Animal Shelter Commission; Mary L. Macias, Andre L. Turner, Paul Anton Schweizer, Citizen At Large, to the Judicial Nominating Commission; W. Brian Keith, Urban Planner, Don R. Plunk, Citizen-at Large, William Lyle Burgin, General Public, to the Landmark Commission; Barbara Haynes, Operates a business in the area, to the South Dallas/Fair Park Trust Fund Board; Paul Stanley, Full time student in DISD, to the Youth Commission.

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

Councilmember Hill moved to appoint Huelon Harrison, Chair, to the Community Development Commission, Sheron Patterson, Chair, to the Environmental Commission, Tom Baker, Chair, to the Park and Recreation Board and Jon (Tad) Heimbürger, Vice-Chair, to the Environmental Health Commission.

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

Mayor Pro Tem Garcia moved to appoint Councilmember Vonciel Jones Hill, Place 1, Councilmember David Neumann, Place 2, Councilmember Pauline Medrano, Place 3 and Deputy Mayor Pro Tem Dwaine Caraway in Place 4 (Alternate Member) to the Dallas Police and Fire Pension Board.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-0144

08-0145

Page 2

Deputy Mayor Pro Tem Caraway 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 Mayor Pro Tem Garcia and unanimously adopted. (Hill, Salazar absent when vote taken)

Later in the meeting, Councilmember Neumann requested to appoint Mario Cadena and Kathy Hewitt to the Reinvestment Zone Sixteen Board (Twelve Hills), there being no objection voiced.

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

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

<b>08-0158</b>	<b>ASC ANIMAL SHELTER COMMISSION</b>
<b>08-0159</b>	<b>BOA BOARD OF ADJUSTMENT</b>
<b>08-0160</b>	<b>CDC COMMUNITY DEVELOPMENT COMMISSION</b>
<b>08-0161</b>	<b>CPR DALLAS CITIZENS POLICE REVIEW BOARD</b>
<b>08-0162</b>	<b>EHC ENVIRONMENTAL HEALTH COMMISSION</b>
<b>08-0163</b>	<b>JNC JUDICIAL NOMINATING COMMISSION</b>
<b>08-0164</b>	<b>LMC LANDMARK COMMISSION</b>
<b>08-0165</b>	<b>MLB MUNICIPAL LIBRARY BOARD</b>
<b>08-0166</b>	<b>MLK MARTIN LUTHER KING JR COMMUNITY CENTER BOARD</b>
<b>08-0167</b>	<b>PAR PARK AND RECREATION BOARD</b>
<b>08-0168</b>	<b>PFP POLICE AND FIRE PENSION BOARD</b>
<b>08-0169</b>	<b>PLA PERMIT AND LICENSE APPEAL BOARD</b>
<b>08-0170</b>	<b>RZ16 REINVESTMENT ZONE SIXTEEN BOARD (TWELVE HILLS)</b>
<b>08-0171</b>	<b>SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD</b>
<b>08-0172</b>	<b>YAC YOUTH COMMISSION</b>
<b>08-0173</b>	<b>BOARD OFFICERS</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0146

Item 23: Authorize an actual reasonable moving and related expenses-nonresidential payment for Joseph R. Story, dba Pallet Repair Services, who will be displaced as a direct result of real property acquisition of the property at 1301 McDonald Street, Bay #2, to be used in conjunction with the Trinity River Corridor Project to be paid once City has obtained proof that Pallet Repair Services has vacated the premises - Not to exceed ~~\$106,050~~ \$183,960 - Financing: 1998 Bond Funds

Corrected on the addendum.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Rasansky absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0147

Item 24: Zoning Case Z067-187 (JH) INDIVIDUAL

A public hearing was called on zoning case Z067-187 (JH), an application for a Planned Development Subdistrict for MF-2 uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multifamily Subdistrict on the northeast side of Cedar Springs Road, on both sides of Hudnall Street

(The staff recommended Approval, subject to a conceptual plan and conditions. The city plan commission recommended denial.)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0148

Item 25: Zoning Case Z067-259 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z067-259 (OTH), an application for an MU-1 Mixed Use District on the western half of the site, and an MF-3(A) Multifamily District on the eastern half of the site with deed restrictions volunteered by the applicant on the entire site, on property zoned an MF-1(A) Multifamily District, in an area bounded by Lovers Lane, Amesbury Drive, Milton Street, and Matilda Street

(The staff recommended approval of an MU-1 Mixed Use District on the western half of the property and an MF-3(A) on the eastern half of the property and a strip along Milton Street on the western side of the property, subject to deed restrictions volunteered by the applicant on the entire property. The city plan commission recommended denial.)

Deleted on the addendum.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0149

Item 26: Zoning Case Z067-318 (MF) INDIVIDUAL

A public hearing was called on zoning case Z067-318 (MF), an application for and an ordinance granting a Neighborhood Stabilization Overlay (NSO) on property zoned an R-5(A) Single Family District in an area generally bounded by Lee Street, Pershing Street, Henderson Avenue and Homer Street and including both sides of Pershing and Homer (Cochran Heights)

(The staff and city plan commissions recommended approval)

The following individual addressed the city council regarding the item:

Billy MacLeod, 5188 Richmond Ave.

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

Dallas Cothrum, 900 Jackson  
Michael Anderson, 5216 Milam

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

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 Medrano and unanimously adopted. (Caraway, Salazar absent when vote taken)

Assigned ORDINANCE NO. 27055.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0150

Item 27: Zoning Case Z067-272 (OTH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-272 (OTH), an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 714, West Commerce Street/ Fort Worth Avenue Special Purpose District, on property zoned a TH-3(A) Townhouse District on the northeast corner of the terminus of Folsom Street, north of Fort Worth Avenue, east of Willomet Avenue

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

Note: This item was considered by the City Council at a public hearing on December 12, 2007, and was taken under advisement until January 9, 2008, with the public hearing open.

The following individual addressed the city council regarding the item:

Billy MacLeod, 5188 Richmond Ave.

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

Will Pinkerton, 1533 W. Colorado Blvd.

Scott Griggs, 1803 Marydale

Deborah Carpenter, 2009 Neal, representing Western Heights Neighborhood Association

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

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

In Subdistrict 2C, the angle for projection for the residential proximity slope is a 1 to 1 slope.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27056.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0151

Item 28: Zoning Case Z067-336 (JH) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-336 (JH), an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest corner of Elm Street and Crowds Street

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

Note: This item was considered by the City Council at a public hearing on December 12, 2007, and was taken under advisement until January 9, 2008, with the public hearing open.

The following individual addressed the city council regarding the item:

Billy MacLeod, 5188 Richmond Ave.

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

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

Joe Beard, 10005 Birdie Ct. **ROWLETT, TX**

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

- Subject to the attached revised site plan and require that the maximum floor area be 3,000 square feet in the location shown on the attached revised site plan

and pass the ordinance.

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

Assigned ORDINANCE NO. 27057.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0152

Item 29: **Municipal Setting Designation** **Note:** Item Nos. 29 and 30 must  
**at 6211 and 6303 Cedar Springs Road** 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 Sewell Corporation, Inc. and Sewell Village Cadillac Company, Inc. located near the intersection of Cedar Springs Road and Manor Way and adjacent street rights-of-way - Financing: No cost consideration to the City

Item 30: An ordinance authorizing support of the issuance of a municipal setting designation to Sewell Corporation, Inc. and Sewell Village Cadillac Company, Inc. 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 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 a licensed professional engineer or professional geoscientist who is familiar with the application must be present and available to answer questions."

The following individuals addressed the city council regarding the item:

Mark Hillier, Professional geoscientist

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. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 27058.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0153

Addendum addition 1: Authorize **(1)** the reappointment of three Administrative Law Judges (ALJ), Willie Crowder, Kimberly Lonergan and William Messer for the period January 1, 2008 through December 31, 2009, to hear employee appeals of terminations and demotions; and, **(2)** contracts with each ALJ in the amount of \$8,000 each - Total not to exceed \$24,000 - Financing: Current Funds (\$12,000 to be reimbursed by the appealing employees)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0154

Addendum addition 2:           An ordinance granting an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and a resolution accepting revised deed restrictions volunteered by the applicant on the northeast line of Maple Avenue, northwest of Kimsey Drive - Z067-320 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27059.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0155

Addendum addition 3:            Authorize revisions to Rules XIV and XXIV of the Civil Service Code of Rules and Regulations related to promotions and requirements for Trainee Fire and Rescue Officers and Trainee Fire Prevention Officers - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0156

Addendum addition 4: Authorize Councilmember Linda Koop to replace Laura Miller as the City's representative to the Texas Clean Air Cities Coalition (TCACC) and the TCACC Steering Committee - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0157

Addendum addition 5: Authorize an increase in the contract with Sedalco, LP for the removal of a damaged tree and installation of a signature tree near the main entrance, additional guardrails for the elevated trails and boardwalks, enhancements to the cafe, and additional electrical and plumbing upgrades for the maintenance area for the Trinity River Audubon Center - \$73,435, from \$11,715,344 to \$11,788,779 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JANUARY 9, 2008

08-0158

Addendum addition 6: Authorize the City Manager to request grant funding under the North Central Texas Council of Governments' Request for Project Applications of the Regional Solid Waste Local Project Funding Program - Financing: No cost consideration to the City

Councilmember Rasansky moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 9, 2008

EXHIBIT C