

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 28, 2008

08-1500  
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 (\*9:27 a.m.)

ABSENT: [0]

The meeting was called to order at 9:01 a.m.

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

The invocation was given by Rabbi Andrew Mark Paley, Spiritual Leader of Temple Shalom.

Deputy Mayor Pro Tem Caraway 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 8:02 p.m.

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Mayor

ATTEST:

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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, MAY 28, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 28, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1501

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: Roberto Alonzo  
REPRESENTING: Texas House of Representatives  
SUBJECT: Agenda item 51

SPEAKER: Tawana Couch, 619 Woolsey Dr.  
SUBJECT: Animal ordinance

SPEAKER: Susan Oakey, 444 Mayrant Dr.  
REPRESENTING: Animal Connection of Texas and Animal Commission  
SUBJECT: Animal ordinance

SPEAKER: Donna Collins, 9126 Valley Chapel Lane  
REPRESENTING: Peace Project  
SUBJECT: Crime reduction program

SPEAKER: Roy Williams, 5881 Preston View Blvd.  
REPRESENTING: 40 acres and a mule  
SUBJECT: Consciences vs. crime

SPEAKER: Ronald Wright, 3819 Tolbert  
REPRESENTING: SCLC and Pleasant Grove Business Association  
SUBJECT: Cooper proposal

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Racism with the County of Dallas, KKK, and DPD

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter  
REPRESENTING: The universe  
SUBJECT: Problem solving for Dallas, TX

SPEAKER: Frank Ward, P. O. Box 50694  
REPRESENTING: The Trinity Reunion Church and the Community-At-Large  
SUBJECT: Revelations, the Kingdom of God is here. Now I will lift my head...

SPEAKER: Gwain Wooten, 4625 Bryan St.  
REPRESENTING: R. A. W.  
SUBJECT: Truth

SPEAKER: Jewel Floyd, 3815 Myrtle St.  
SUBJECT: Why do we have a Mayor, if only for white concerns (Code Enforcement)

SPEAKER: Jada Wooten, 5620 Live Oak  
REPRESENTING: Freedman's  
SUBJECT: Housing

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1502

Item 1: Approval of Minutes of the May 14, 2008 City Council Meeting.

Deputy Mayor Pro Tem Caraway moved to approve the minutes.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1503

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-44 and addendum addition consent agenda items 1-14, were presented for consideration.

Mayor Pro Tem Garcia requested that consent agenda items 11 and 17 be considered as individual items. Mayor Leppert stated that consent agenda items 11 and 17 would be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Councilmember Neumann requested that consent agenda items 26, 37 and addition addendum consent agenda items 4, 9, 12 and 13 be considered as individual items. Mayor Leppert stated that consent agenda items 26, 37 and addition addendum consent agenda items 4, 9, 12 and 13 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Davis requested that consent agenda item 19 and addition addendum consent agenda item 11 be considered as individual items. Mayor Leppert stated that consent agenda item 19 and addition addendum consent agenda item 11 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Davis' request.

Councilmember Atkins requested that consent agenda items 2 and 19 be considered as individual items. Mayor Leppert stated that consent agenda items 2 and 19 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Councilmember Rasansky requested that consent agenda items 8, 23, 32, 34, 37 and addition addendum consent agenda items 1, 2, 4, 5 and 11 be considered as individual items. Mayor Leppert stated that consent agenda items 8, 23, 32, 34, 37 and addition addendum consent agenda items 1, 2, 4, 5 and 11 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 2, 8, 11, 17, 19, 23, 26, 32, 34, 37 and addendum addition consent agenda with the exception of addition addendum consent agenda items 1, 2, 4, 5, 9, 11, 12 and 13 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

MAY 28, 2008

08-1504

Item 2: Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation, Aviation Division, to act as the City's agent to develop a Strategic Business Plan for Dallas Executive Airport; and **(2)** payment to the Texas Department of Transportation, Aviation Division for the required local match - Total not to exceed \$50,000 - Financing: Aviation Current Funds

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.

Councilmember Rasansky moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1505

Item 3: Authorize **(1)** the purchase of two 40-ton articulating dump trucks and one excavator to be used by Sanitation Services - Holt Texas Ltd. in the amount of \$993,470, and Continental Equipment Company, L.P. in the amount of \$289,816, lowest responsible bidders of three; and **(2)** trade-in of four articulating dump trucks with Holt Texas Ltd. in the amount of (\$208,000) - Total not to exceed \$1,075,286 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1506

Item 4: Authorize a thirty-six-month master agreement for heating, ventilation and air conditioning parts and supplies for various City facilities - Johnson Supply Co., Inc., lowest responsible bidder of two - Not to exceed \$889,000  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1507

Item 5: Authorize a twenty-four-month master agreement for ammunition for the Dallas Police Department, Court Services and Security Services - Barney's, Inc. in the amount of \$315,000, Precision Delta Corp. in the amount of \$208,800, and GT Distributors, Inc. in the amount of \$136,500, lowest responsible bidders of three - Total not to exceed \$660,300 - Financing: Current Funds (\$523,500), Texas Higher Education Coordinating Board Funds (\$74,300), Confiscated Monies Funds (\$13,000), Law Enforcement Officers Standard Education Funds (\$49,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1508

Item 6: Authorize a twenty-four-month master agreement for batteries and flashlights - Catrina Craft dba Construction Tool and Supply in the amount of \$125,627, Battle & Battle Distributors, Inc. in the amount of \$64,573, TKC Enterprises, Inc. dba Batteries Plus in the amount of \$7,829, and FM Supply Company in the amount of \$2,938, lowest responsible bidders of four - Total not to exceed \$200,967 - Financing: Current Funds (\$147,569), Water Utilities Current Funds (\$44,758), Aviation Current Funds (\$3,503), Convention and Event Services Current Funds (\$5,137)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1509

Item 7: Authorize a twenty-four-month master agreement for laboratory supplies and equipment - Fisher Scientific Company LLC in the amount of \$457,967, Fox Scientific in the amount of \$355,710, Accurate Lab Supplies in the amount of \$373,830, and VWR International in the amount of \$250,630, lowest responsible bidders of four - Total not to exceed \$1,438,137 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1510

Item 8: Authorize a thirty-six-month service contract for televised sewer and storm drain inspections, maintenance and repair services - Envirowaste Services Group, Inc., lowest responsible bidder of five - Not to exceed \$4,696,390 - Financing: Current Funds (\$965,000) (subject to annual appropriations), Water Utilities Capital Construction Funds (\$3,731,390)

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1511

Item 9: Authorize a thirty-six-month service contract for trenchless pipe repair services  
- Miller Pipeline Corp., lowest responsible bidder of two - Not to exceed  
\$625,415 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1512

Item 10: Authorize **(1)** rescinding the thirty-six-month service contract with Service Master Building Services, previously approved on November 12, 2007, by Resolution #07-3287, for janitorial services at ten Women, Infants and Children locations; and, **(2)** a thirty-six-month service contract for janitorial services at ten Women, Infants and Children locations - Oriental Building Services, lowest responsible bidder of eleven - Not to exceed \$300,600 - Financing: 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

MAY 28, 2008

08-1513

Item 11: Authorize settlement of the lawsuit styled Karen Elizabeth Bryant v. City of Dallas, Cause No. 07-03225-B - Not to exceed \$125,000 - Financing: Current Funds

Mayor Pro Tem Garcia 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 Mayor Pro Tem Garcia's request.

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1514

Item 12: Authorize moving expense and replacement housing payments for homeowner, Marlene Dorsey, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$79,900 - Financing: 2007-08 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1515

Item 13: Authorize moving expense and replacement housing payments for Ramiro and Margarita Bernal 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 \$34,700 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1516

Item 14: Authorize moving expense and replacement housing payments for Roberto Obregon 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 \$40,100 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1517

Item 15: Authorize the acceptance of an Economic Development Initiative grant award from the U.S. Department of Housing and Urban Development for improvements to Pearl Street Plaza (removal of the food kiosk on Pearl Street Plaza and associated costs) to purchase a hydraulic lift, tables, chairs, trash and recycling receptacles and planters for Shed 2 at the Dallas Farmers Market; and execution of the grant agreement - \$149,115 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1518

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Carl N. Allen, Jr. and Cindy L. Allen, of approximately 10,803 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - \$44,033 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1519

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of one tract of unimproved land, from Pinnacle Industrial Center, LP, containing a total of approximately 15 acres located near the intersection of Pinnacle Point Drive and Pinnacle Park Boulevard for Joey Georgusis Park - \$2,000,000 - Financing: 2006 Bond Funds

Mayor Pro Tem Garcia requested that consent agenda item 17 be considered as an individual item. Mayor Leppert stated that consent agenda item 17 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

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

Councilmember Neumann moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1520

Item 18: An ordinance granting a revocable license to Powerhouse Partners, Ltd. for the use of approximately 228 square feet of land to install and maintain a subsurface fiber optic cable under a portion of Buena Vista Street right-of-way located near its intersection with Armstrong Avenue - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27187.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1521

Item 19: Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the development of a Comprehensive Area Plan for Southern Dallas County necessary to create sustainable communities and the establishment of the International Inland Port of Dallas - Not to exceed \$290,000 - Financing: Public/Private Partnership Funds

Councilmember Davis and Councilmember Atkins 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 Councilmember Davis and Councilmember Atkins' request.

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

Councilmember Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1522

Item 20: Authorize the rescission of Resolution Nos. 06-1737 and 06-1738, which provided for a development agreement with Fairfield Residential (FF Development, LP); herein after referred to as "Fairfield," to fund the design, engineering, professional services, and construction of public improvements for Fairfield at Cityplace, a high-density mixed-use development project located at 3700 McKinney Avenue in Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) - Not to exceed (\$3,000,000) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1523

Item 21: Authorize an amendment to the Amended and Restated Development Agreement with Worthing at Motor, L.P., in Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) to extend the project completion date from March 31, 2008 to September 30, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1524

Item 22: Authorize **(1)** a public hearing to be held on June 25, 2008 to receive comments regarding the creation of the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Lake Highlands Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by an assessment for each property owner of record on real property and real property improvements in the District; and at the close of the hearing, **(2)** consideration of a resolution creating the Lake Highlands Public Improvement District, providing an effective date, designating a management entity and authorizing the Service Plan for 2009-2015 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1525

Item 23: Authorize **(1)** a public hearing to be held on June 25, 2008 to receive comments concerning the renewal of the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District (District) including additional property at Park Lane, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and **(2)** at the closing of the hearing, a resolution approving renewal of the District for seven more years and approval of the District's Service Plan for 2009-2015 - Financing: No cost consideration to the City

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1526

Item 24: Authorize a seven-year lease agreement with Marcer Investments, LLC. for approximately 5,800 square feet of office space located at 6925 Lake June Road, to be used as a Women, Infants and Children Clinic for the period August 1, 2008 through July 31, 2015 - Not to exceed \$629,300 - Financing: 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

MAY 28, 2008

08-1527

Item 25: Authorize a ten-year lease agreement with Tom Keele, Inc. for approximately 6,733 square feet of office space located at 302 North Barnes Drive, Garland, Texas, to be used as a Women, Infants and Children Clinic for the period September 1, 2008 through August 31, 2018 - Not to exceed \$1,134,000 - Financing: 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

MAY 28, 2008

08-1528

Item 26: An ordinance amending Chapter 17 of the Dallas City Code to revise standards and conditions for granting variances to allow dogs on outdoor patios of food establishments - Financing: No cost consideration to the City

Councilmember Neumann 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's request.

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

Councilmember Natinsky moved to approve the item.

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

Assigned ORDINANCE NO. 27190.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1529

Item 27: Ratify an emergency repair to the air conditioning chiller unit at the Police Property room located at 1840 Chestnut Street - Facility Solution Group, Inc., lowest responsible bidder of one - Not to exceed \$33,874 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1530

Item 28: A resolution authorizing support of a pre-application waiver for a Texas Department of Housing and Community Affairs' Tax-exempt Bond and 4% Tax Credit financing for the new construction of 180 one-bedroom units for seniors, with 13 units designated for persons with disabilities located at Bickers Street and Greenleaf Street for Village at Lakewest Apartments I, Lakewest Senior Housing I, LP - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1531

Item 29: A resolution authorizing support of a pre-application waiver for a Texas Department of Housing and Community Affairs' Tax-exempt Bond and 4% Tax Credit financing for the new construction of 180 one-bedroom units for seniors, with 13 units designated for persons with disabilities located at Morris Drive and Fishtrap Street for Village at Lakewest Apartments II, Lakewest Senior Housing II, LP - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1532

Item 30: Authorize ~~the purchase~~ a contract with Lawson Software, Incorporated for the purchase ~~and maintenance~~ of the Lawson human resources and payroll software and end-user licenses to support the upgrade of the Human Resources Information System - Total not to exceed \$40,000 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes

Corrected on the addendum.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1533

Item 31: Authorize a renewal to the contract with the Museum of African American Life and Culture to provide a cultural awareness program for low-to moderate-income youth in the southern Dallas area - Not to exceed \$50,000 - Financing: 2007-08 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1534

Item 32: Authorize an amendment to the City of Dallas 401(k) Retirement Savings Plan ("401(k) Plan") effective May 28, 2008 - Financing: No cost consideration to the City

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

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

Councilmember Rasansky moved to approve the item with an amendment that both spouse's signature be required to obtain a loan.

Motion seconded by Councilmember Allen. (Garcia, Koop absent when vote taken)

After discussion, Mayor Leppert called the vote on Councilmember Rasansky's motion as amended that both spouse's signature be required to obtain a loan.

Mayor Leppert declared the motion failed.

After further discussion, Mayor Leppert requested a show of hands to approve the item as previously read into the record.

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1535

Item 33: Authorize an amendment to the 457 Deferred Compensation Plan for City Employees of the City of Dallas ("457 Plan") effective May 28, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1536

Item 34: Authorize **(1)** a license agreement with Oncor and DART for the use of right-of-way for public hike and bike trail purposes for two trails known as Manderville Trail and East Dallas Veloway North, totaling approximately 1.5 miles; and, **(2)** a development, operation and maintenance agreement with Next Block Dallas-I, L.P. for the development, operation and maintenance of one mile of trail known as Manderville Trail and one-half mile of trail known as East Dallas Veloway North - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 34 be considered as an individual item. Mayor Leppert stated that consent agenda item 34 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 34 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 Hunt moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1537

Item 35: Authorize Supplemental Agreement No. 3 to the professional services contract with Elliott and Associates Architects for design development, construction documents, construction administration, Texas Accessibility Standards review, and biographical and historical research and writing for a revised community recognition project at Opportunity Park located at 3105 Pine Street - \$50,700, from \$149,354 to \$200,054 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1538

Item 36: Authorize an application for the Homicide Cold Case Investigation grant from the Office of the Governor, Criminal Justice Division to provide the police department's Cold Case Homicide Unit additional resources for the period September 1, 2008 through August 31, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1539

Item 37: Authorize a twelve-month service contract for asbestos abatement and demolition services for structures ordered demolished by municipal court order, the emergency demolition of unsafe buildings due to fire damage, and the demolition of City-owned buildings as required - F. Hall Mowing Company, lowest responsible bidder of six - Not to exceed \$2,630,295 - Financing: Demolition Reserve Funds

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Leppert stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Rasansky's request.

Later in the meeting, agenda item 37 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1540

Item 38: Authorize a professional services contract with CEI Engineering Associates, Inc. for the engineering design of 12 sidewalk improvement projects and a streetscape project (list attached) - Not to exceed \$115,036 - Financing: 2003 Bond Funds (\$90,016) and 2006 Bond Funds (\$25,020)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1541

Item 39: Authorize an Interlocal Agreement with the Texas Department of Transportation for the City's share of right-of-way acquisition and utility relocations for proposed paving improvements at the intersections of Pearl Street at Woodall Rodgers, Olive Street at Woodall Rodgers, and Pearl Street at Flora Street - Not to exceed \$20,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1542

**Pedestrian Improvements along Hi Line Drive from Stemmons Freeway to Trinity Meanders** **Note:** Item Nos. 40 and 41 must be considered collectively.

Item 40: Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Dallas Design District TIF pedestrian infrastructure improvements along Hi Line Drive from Stemmons Freeway to the Trinity Meanders; **(2)** receipt and deposit of funds from the North Central Texas Council of Governments in the amount of \$829,789; and **(3)** an increase in appropriations in the amount of \$829,789 in the Capital Projects Reimbursement Fund - Not to exceed \$829,789 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1543

**Pedestrian Improvements along Hi Line Drive from Stemmons Freeway to Trinity Meanders** **Note:** Item Nos. 40 and 41 must be considered collectively.

Item 41: Authorize payment to Alta Block 1500, LLC for the North Central Texas Council of Government's share of design and construction of the Dallas Design District TIF pedestrian infrastructure improvements along Hi Line Drive from Stemmons Freeway to the Trinity Meanders - Not to exceed \$829,789 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1544

Item 42: Authorize a professional services contract with Freese and Nichols, Inc. for environmental permitting, topographic survey, and schematic design through construction administration services for the Elm Fork Athletic Complex located near the 2200 Block of Walnut Hill Lane - Not to exceed \$1,792,293 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1545

Item 43: Authorize an increase in the contract with Sedalco, LP for the installation of a public address system, and for trail modifications at the Trinity River Audubon Center - \$56,686, from \$11,808,193 to \$11,864,879 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1546

Item 44: Authorize an Interlocal Agreement with the Texas Department of Transportation for local project funding for construction of the Beckley Avenue improvements, from Gulden Lane to approximately Union Pacific Railroad associated with the Woodall Rodgers Extension (Spur 366) project - Not to exceed \$3,548,304 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1547

08-1548

Item 45: 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 May 28, 2008.

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

Councilmember Rasansky moved to appoint Myron Mims, Dallas Member, to the Reinvestment Zone Five Board (City Center).

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

Councilmember Rasansky moved to appoint Darlene Reynolds, Vice Chair, to the Board of Adjustment and Myron Mims, Chair, to the Reinvestment Zone Number Five Board (City Center).

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

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

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

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

<b>08-5159</b>	<b>ARC</b>	<b>AUTOMATIC RED LIGHT ENFORCEMENT COMMISSION</b>
<b>08-5160</b>	<b>MLK</b>	<b>MARTIN LUTHER KING JR COMMUNITY CENTER BOARD</b>
<b>08-5161</b>	<b>RZ05</b>	<b>REINVESTMENT ZONE FIVE BOARD (CITY CENTER)</b>
<b>08-5162</b>		<b>BOARD OFFICER</b>

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1549

Item 46: Consideration and appointment of a member to the Dallas Area Rapid Transit (DART) Board of Directors for Place 4 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing the nominations, for Place 04, 2007-2009 board term.

The following individuals addressed the city council regarding the nominees for Place 04:

Fred Blair, 210 W. Illinois  
Beatrice Martinez, 7007 Arboreal  
Al Lipscomb, 830 Clearwood Dr.

Mayor Leppert announced that ballots would be distributed to vote for one of the two nominees for Place 04 on the DART Board.

Later in the meeting, Mayor Leppert received the results from the city secretary of the balloting for Place 04 and announced that Claude Williams received the majority of the votes to be appointed to Place 04 on the DART Board.

Councilmember Hill requested the city secretary read the result of the balloting for Place 04.

The city secretary announced the following results of the balloting for Place 04 for the DART board.

	FOR		FOR
Mayor Leppert	Claude Williams	Councilmember Medrano	Joyce Foreman
Mayor Pro Tem Garcia	Claude Williams	Councilmember Hill	Joyce Foreman
Deputy Mayor Pro Caraway	Claude Williams	Councilmember Salazar	Joyce Foreman
Councilmember Neumann	Claude Williams	Councilmember Davis	Joyce Foreman
Councilmember Atkins	Claude Williams	Councilmember Koop	Joyce Foreman
Councilmember Kadane	Claude Williams	Councilmember Hunt	Joyce Foreman
Councilmember Allen	Claude Williams		
Councilmember Natinsky	Claude Williams		
Councilmember Rasansky	Claude Williams		

The city secretary announced that Claude Williams received nine (9) votes and Joyce Foreman received six (6) votes.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1550

Item 47: Consideration and appointment of a member to the Dallas/Fort Worth International Airport Board of Directors (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1551

Item 48: Authorize a historic preservation tax exemption for the Awalt Building located at 804 Pacific Avenue for a 15-year period on 100 percent of the land and structure value - Revenue: First year tax revenue foregone estimated at \$35,077 (Estimated revenue foregone for 15 years is \$526,148).

The following individual addressed the city council regarding the item:

Marcel Quimby, 9641 Springbranch, representing Historic Tax Abatement

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Medrano.

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." (Garcia, Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1552

Item 49: Authorize a historic preservation tax exemption for the John F. and Lucy Parks Estate located at 6220 Worth Street for a ten-year period on the added value of the land and structure value - Revenue: First year tax revenue foregone estimated at \$5,983 (Estimated revenue foregone for ten years is \$59,832)

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1553

Item 50: An ordinance authorizing the issuance and sale of \$170,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding Bonds, Series 2008; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$452,000 - Financing: Water Utilities Current Funds

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

Councilmember Allen moved to approve the ordinance.

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

Assigned ORDINANCE NO. 27188.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1554

Item 51: An ordinance amending Chapter 28 of the Dallas City Code to authorize a police officer to impound a motor vehicle stopped for a traffic law violation if the vehicle's owner or operator fails to show evidence of financial responsibility  
- Financing: No cost consideration to the City

The following individuals addressed the city council in opposition to the item:

Brenda Lynn, 3410 E. Perryton Dr.  
Albert Ruiz, 1438 Cedar Oaks Blvd, Vice President of LULAC 102.  
Renato De Los Santos, 1531 Duncanville Rd., District Director of LULAC

The following individuals addressed the city council in favor of the item:

Jacob Kuperztoch, 16119 Shadybank Dr.  
Bill Ames, 7015 Town Bluff  
Ralph Thomas, 11224 Dwarfs Circle  
Terri Baker, 10307 Gooding Dr.  
Sylvia Najarro-Acuff, 5931 Meletio Lane  
Pat White, 4714 Wildwood  
Alan Walne, 10020 Caribou Trl.  
Beverly Froy, 4255 Millview Dr.  
William Solemene, 4400 Williamsburg Rd.  
Barney, Mercer, 4413 Stanhope, **University Park, TX**  
Ben Adameik, 14628 Dickerson Ct. **Addison, TX**, representing Dallas Constable Precinct 3

The additional individual addressed the city council on the item:

Kelvin Bass, representing State Senator Royce West

Councilmember Rasansky moved to suspend Section 6.3 of the City Council Rules of Procedures to allow the following individual to address the city council in opposition to the item:

Scott Griggs, 1803 Marydale, President of Fort Worth Avenue Development Group:

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1554

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Councilmember Rasansky moved to pass the ordinance subject to waiting 90 days, but no later than January 1, 2009, to allow the State of Texas verification database to be completed.

Motion seconded by Councilmember Hunt.

After discussion, Councilmember Natinsky asked Councilmember Rasansky if he would accept a friendly amendment to delete the portion of the motion "waiting 90 days", to make the ordinance effective January 1, 2009.

Councilmember Rasansky accepted the friendly amendment as part of his motion.

Councilmember Hunt, who seconded the original motion, also accepted Councilmember Natinsky's friendly amendment.

After further discussion, Mayor Pro Tem Garcia moved to substitute for Councilmember Rasansky's motion with the friendly amendment to delay passage of the ordinance until the State of Texas verification database is completed and refer back to the Public Safety Council Committee for review.

Motion seconded by Councilmember Salazar.

Later in the meeting, Mayor Leppert called the vote on Mayor Pro Tem Garcia's substitute motion to delay the passage of the ordinance until the State of Texas verification database is completed and refer back to the Public Safety Council Committee for review:

Voting Yes: [7] Garcia, Caraway, Medrano, Hill, Salazar, Davis, Atkins  
Voting No: [8] Leppert, Neumann, Kadane, Allen, Koop, Natinsky, Rasansky,  
Hunt

Mayor Leppert declared the substitute motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1554

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Mayor Leppert called the vote on Councilmember Rasansky's original motion to pass the ordinance as modified by Councilmember Natinsky's friendly amendment to make the ordinance effective January 1, 2009:

Voting Yes: [10] Leppert, Caraway, Neumann, Davis, Kadane, Allen, Koop,  
Natinsky, Rasansky, Hunt

Voting No: [5] Garcia, Medrano, Hill, Salazar, Atkins

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27189.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1555

Item 52: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of unimproved land containing a total of approximately 20,376 square feet located near the intersection of Cadiz and Industrial Streets for the Cadiz Pump Station Improvement Project (list attached) - \$181,717 - Financing: Water Utilities Capital ~~Improvement~~ Construction Funds

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1556

Item 53: An ordinance granting a Planned Development District for LI Light Industrial District Uses and a resolution granting an amendment to the public deed restrictions on property zoned an LI Light Industrial District on the west side of Waterview Parkway at Synergy Drive - Z078-154 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Scott Brown, 9256 Whitehurst, Dr.

Calvin Jamison, Vice President for Business Affairs, representing University of Texas at Dallas

Robert Lavie, 3661 Stratford Ave., Honorary Consul of French for Dallas and President of Executive Committee of Dallas International School

Councilmember Natinsky moved to approve the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27189.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1557

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 54-58 was presented for consideration.

Agenda items 54, 55, 57 and 58 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 54: Zoning Case Z067-148 (DW)~~ [considered individually]

~~Agenda item 55: Zoning Case Z078-145 (RB)~~ [considered individually]

Agenda item 56: Zoning Case Z078-169 (JH)

~~Agenda item 57: Zoning Case Z078-184 (JH)~~ [considered individually]

~~Agenda item 58: Zoning Case Z067-222 (RB)~~ [considered individually]

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

Councilmember Rasansky moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning case and pass the ordinance.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1558

Item 54: Zoning Case Z067-148 (DW)

The consent zoning docket consisting of agenda items 54-58 was presented for consideration.

Councilmember Neumann and Councilmember Rasansky requested that zoning consent item 54 be considered as an individual item. Mayor Leppert stated that zoning consent item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann and Councilmember Rasansky's request.

A public hearing was called on zoning case Z067-148 (DW), to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District, Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation Other Than Listed on property generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west with consideration being given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations and an ordinance granting a Planned Development District and an ordinance terminating Specific Use Permit No. 432

(The staff recommended denial and the city plan commission recommended approval of a planned development district, subject to conditions and a regulating plan for property located south of the Union Pacific Rail Line, with termination of Specific Use Permit No. 432, and no change to zoning for property located north of the Union Pacific Rail Line)

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

William Hopkins, 2011 Leath St.

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

Jonathan Vinson, 901 Main St., representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1558

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Councilmember Neumann moved to continue the public hearing and refer back to the Trinity River Corridor Council Committee.

Motion seconded by Councilmember Kadane.

After discussion, Councilmember Neumann moved to amend his original motion include the item be brought back to the June 11 2008 voting agenda meeting of the city council.

Councilmember Kadane, who seconded the original motion, also accepted Councilmember Neumann's amendment.

After further discussion, Mayor Leppert called the vote on Councilmember Neumann motion to continue the public hearing and refer back to the Trinity River Corridor Council Committee as modified by the amendment to bring back to the June 11, 2008 voting agenda meeting of the city council.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1559

Item 55: Zoning Case Z078-145 (RB)

The consent zoning docket consisting of agenda items 54-58 was presented for consideration.

Councilmember Hill requested that zoning consent item 55 be considered as an individual item. Mayor Leppert stated that zoning consent item 55 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

A public hearing was called on zoning case Z078-145 (RB), an application for and an ordinance granting a Specific Use Permit for a Vehicle or engine repair or maintenance use on property within the Subdistrict 3 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, on the northeast line of CF Hawn Freeway, southeast of Lake June Road

(The staff recommended approval for a three-year period, subject to a site plan and conditions and the city plan commission recommended approval for a two-year 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 Hill moved to close the public hearing and follow staff's recommendation of a three-year period specific use permit, terminating on May 28, 2011 and pass the ordinance.

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

Assigned ORDINANCE NO. 27192.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1560

Item 56: Zoning Case Z078-169 (JH)

The consent zoning docket consisting of agenda items 54-58 was presented for consideration.

A public hearing was called on zoning case Z078-169 (JH), an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses, office, and certain non-residential uses on property zoned an R-7.5(A) Single Family District located at the north terminus of Cornerstone Parkway, west of Caruth Haven Boulevard

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27193.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1561

Item 57: Zoning Case Z078-184 (JH)

The consent zoning docket consisting of agenda items 54-58 was presented for consideration.

A public hearing was called on zoning case Z078-184 (JH), an application for and an ordinance granting a Subdistrict 2 within Planned Development District No. 317, the Cedars Area Special Purpose District, with consideration for creating a new subdistrict for Subdistrict 2 uses, on property zoned a Subdistrict 1 within Planned Development District No. 317 on the northeast side of Gould Street, between McKee Street and Hickory Street

(The staff and city plan commission recommended approval)

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

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

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

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

Assigned ORDINANCE NO.27194.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1562

Item 58: Zoning Case Z067-222 (RB)

The consent zoning docket consisting of agenda items 54-58 was presented for consideration.

Councilmember Medrano requested that zoning consent item 58 be considered as an individual item. Mayor Leppert stated that zoning consent item 58 would 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 Z067-222 (RB), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 582, the Victory Planned Development District, on property partially zoned an I-2 Industrial Subdistrict, an I-3 Industrial Subdistrict, and a CA-2 Central Area Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property generally east of Stemmons Freeway and north of Woodall Rodgers Freeway

(The staff and city plan commission recommended approval, subject to a 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, follow the City Plan Commission recommendation for approval subject to a conceptual plan and conditions and bring the ordinance to the June 11, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1563

Item 59: Zoning Case Z078-131 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-131 (JH), an application for and an ordinance granting the creation of a new subdistrict in Planned Development District No. 298, the Bryan Place Special Purpose District, and an ordinance granting a Specific Use Permit for vehicle or engine repair or maintenance on property zoned Subdistrict 1 within Planned Development District No. 298, the Bryan Place Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street

(The staff recommended denial and city plan commission recommended approval of a new subdistrict, subject to conditions and approval of the Specific Use Permit for a four-year period, subject to a site plan and condition)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1564

Item 60: Zoning Case Z078-159 (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 Z078-159 (WE), an application ~~to amend~~ for and an ordinance granting an amendment to Zones 1A and 1B of Planned Development District No. 184 for office, retail and residential uses, on the northeast corner of Cedar Spring Road and Carlisle Street

(The staff recommended approval, subject to a conceptual plan, revised development plan, landscape plan and staff's recommended conditions and the city plan commission recommended denial)

Corrected on the addendum.

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

David Thurman, 2728 Cedar Springs Rd., representing Foch Investments  
Ted Skokos, 2801 Turtle Creek Blvd., representing The Mansion Condo Association  
Phillip Henderson, 3131 Maple Ave.  
Frank Stitch, 4224 N. Hall, representing Oak Lawn Committee  
Kyle Crews, 3401 Lee Parkway, representing Mayfair Board  
Don Powell, 6809 Poco Dr. **Parker, TX**  
Anthony Page, 3210 Carlisle St.  
Jack Gosnell, 7001 Preston, representing United Commercial  
Newt Walker, 2519 Thomas Ave., representing Katy Trail Holdings  
Tom Bakewell, 3500 Maple, representing Gables

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

Linda Marcus, 2814 Park Bridge Ct.  
Harriet Rubin, 2714 Turtle Creek Cir.  
Wendy Jenkins, 2830 Park Bridge Ct.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1564

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

Bill "Bulldog" Cunningham, 3310 Fairmont  
Jonathan Bailey, 2706 Turtle Creek Cir.  
Margaret Simmons, 2838 Park Bridge Ct.  
James Pratt, 3520 Routh St.  
Leslie Brosi, 3030 McKinney Ave.  
Pat White, 4714 Wildwood  
Earl Schander, 2525 Turtle Creek  
Karin Lucas, 2525 Turtle Creek

Mayor Leppert requested the city secretary read the individual names that did not speak but signed up in the city secretary's office in favor of the item.

Michael Milliken, 3532 Cedar Plaza representing Oak Lawn Committee  
Ewing Moseley, 4719 Cole  
Stephanie Fox, 5907 McCommas  
Stephanie Corrigan, 2820 N. Hall  
Kyle Duncan Furrh, 3227 McKinney  
Christine Vergos, 2902 Maple Springs  
Blaine Robert Band, 2700 Greenway Blvd.  
Richard Doherty, 2728 Cedar Springs, representing FOCH Investments  
Nancy Allen, 2802 Turtle Creek Blvd., representing Manager Mansion Residences  
Bobby Vaughn, 2519 Thomas Ave., representing Katy Trail Holdings  
Susan Mead, 3009 Maple Ave., representing FOCH Investments  
Suzan Kedron, 901 Main St., representing FOCH Investments  
Patricia Meadows, 2707 State St.  
Emily Hoffman, 2610 Allen St.  
Barbara D. Perez, 5911 Lindell Ave.  
Caroline Compton Edsell, 5811 Marquita Ave.  
Marie Gossom, 6550 Shady Brook Lane  
Thomas Glendening, 2301 Cedar Springs, representing Greenway Investments  
James Woods, 2525 McKinnon  
Pat Stare, 2345 N. Houston  
Peter Read, 3100 McKinnon, representing Balfour Beatty Construction

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1564

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Councilmember Hunt moved to close the public hearing, and accept the recommendation of the staff to approve subject to a conceptual plan, revise development plan, landscape plan and staff's recommended conditions and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted.

Assigned ORDINANCE NO. 27195.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1565

Item 61: Zoning Case Z067-270 (RB) INDIVIDUAL

A public hearing was called on zoning case Z067-270 (RB), an application for and an ordinance granting a Planned Development District for CS Commercial Service District Uses on property zoned an A (A) Agricultural District and a CS-D-1 Commercial Service District with the D-1 Liquor Control Overlay in the southwest quadrant of IH 20 and C. F. Hawn Freeway

(The staff and city plan commission recommended approval, subject to a development plan and conditions, with retention of the D-1 Liquor Control Overlay)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1566

Item 62: Zoning Case Z067-337 (RB) UNDER ADVISEMENT-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 Z067-337 (RB), an application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District on the east line of Houston School Road, north of Wheatland Road

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

Note: This case was considered by the City Council at a public hearing on April 9, 2008, and was taken under advisement until May 28, 2008, with the public hearing open.

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

Regina Brown, 8160 Houston School Rd., applicant

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

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

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1567

Item 63: Zoning Case Z067-225 (JH) UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z067-225 (JH), an application for and an ordinance granting a Specific Use Permit for vehicle or engine repair and maintenance use on property zoned Subdistrict 3 within Planned Development District No. 533, the C.F. Hawn Special Purpose District, on the northeast side of C.F. Hawn Freeway, south of Lake June Road

(The staff recommended denial and city plan commission recommended approval for a one-year time period with eligibility for automatic renewal for one additional one-year time period, subject to a site plan and conditions)

Note: This case was considered by the City Council at a public hearing on April 23, 2008, and was taken under advisement until May 28, 2008, with the public hearing open.

Councilmember Hill moved to continue the public hearing and hold under advisement until the June 25, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1568

Item 64: Zoning Case Z078-185 (WE) UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z078-185 (WE), an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 722 for single family, handicapped dwelling and private street and alley west of Preston Road, north of Frankford Road

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

Note: This case was considered by the City Council at a public hearing on May 14, 2008, and was taken under advisement until May 28, 2008, 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:

Jim Tchoukaleff, 3500 Maple Ave., representing Arcadia Realtor Corp.  
Kent Roberts, 2828 Trinity Mills, representing Cambridge Homes, Inc.

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

Motion seconded by Councilmember Rasansky and unanimously adopted.

Assigned ORDINANCE NO. 27196.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1569

Item 65: Zoning Case Z078-176 (OTH) UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z078-176 (OTH), an application for and an ordinance granting a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District, on the west side of Progressive Drive, northwest of the corner of Fort Worth Turnpike and Walton Walker Access Road

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

Note: This case was considered by the City Council at a public hearing on May 14, 2008, and was taken under advisement until May 28, 2008, with the public hearing open.

Councilmember Salazar moved to close the public hearing, accept the recommendation of the staff for approval for a two-year period, subject to a site plan and conditions and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 27197.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1570

Item 66: Zoning Case Z067-306 (OTH) UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z067-306 (OTH), an application for and an ordinance granting a Planned Development District for multifamily, nursing/convalescent/retirement home, single family and office uses, on property zoned an MF-1(A) Multifamily District, on the north side of Harvest Hill, between Montfort Drive and Noel Road

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

Note: This case was considered by the City Council at a public hearing on March 26, 2008, and was taken under advisement until May 28, 2008, with the public hearing open.

Councilmember Rasansky moved to continue the public hearing and hold under advisement until the June 25, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1571

Item 67: A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete **(1)** Shelley Boulevard from Duncanville Road to Knoxville Street, a four-lane divided roadway (S-4-D) within 80 feet of right-of-way; **(2)** Shelley Boulevard from Knoxville Street to Cockrell Hill Road, a four-lane undivided roadway (S-4-U) within 60 feet of right-of-way; and **(3)** Knoxville Street from Shelley Boulevard to Illinois Avenue, a four-lane divided roadway (S-4-D) within 80 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

Mayor Leppert announced he had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Leppert 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:

Jonathan Vinson, 901 Main St., representing the applicant

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

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

Assigned ORDINANCE NO. 27198.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1572

Item 68: Authorize **(1)** a public hearing to receive comments on proposed revisions to the City of Dallas Residential Antidisplacement and Relocation Assistance Plan; and, at the close of the public hearing, **(2)** approval of revisions to the City of Dallas Residential Antidisplacement and Relocation Assistance Plan - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Neumann moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1573

Item 69: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by MHJ, Ltd. located near the intersection of Harry Hines Boulevard and Mockingbird Lane and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to MHJ, 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 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 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 Edwards, professional geoscientist  
William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 27199.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1574

Item 70: A public hearing to receive comments regarding a proposal for and an ordinance waiving certain street name change standards and changing the name of Fisher Road between Skillman Street and Abrams Road to Southwestern Boulevard - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath St.  
Jewel Floyd, 3815 Myrtle St.

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

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

Assigned ORDINANCE NO. 27200.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1575

**Private Sale of Unimproved Property**

**Note:** Item Nos. 71 and 72 must  
be considered collectively.

Item 71: A public hearing to receive comments on the proposed private sale by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Cornerstone Community Development Corporation, a qualified non-profit organization (list attached) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath St.  
Mr. Simmons, representing Cornerstone Community Development Corp.  
Jewel Floyd, 3815 Myrtle St.  
Frank Ward, P. O. Box 50694  
Jada Wooten, 5620 Live Oak  
Gwain Wooten, 4625 Bryan St.  
David Moynihan, 1826 Sanger Ave.  
Ozumba Lnuk-X, 4106 Vineyard Dr.

Councilmember Davis moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1576

**Private Sale of Unimproved Property**

**Note:** Item Nos. 71 and 72 must  
be considered collectively.

Item 72: Authorize the private sale under the HB110 process through the Land Transfer Program, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Cornerstone Community Development Corporation, a qualified non-profit organization and execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$5,989

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath St.  
Mr. Simmons, representing Cornerstone Community Development Corp.  
Jewel Floyd, 3815 Myrtle St.  
Frank Ward, P. O. Box 50694  
Jada Wooten, 5620 Live Oak  
Gwain Wooten, 4625 Bryan St.  
David Moynihan, 1826 Sanger Ave.  
Ozumba Lnuk-X, 4106 Vineyard Dr.

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1577

Item 73: A public hearing to receive comments in preparation of the FY 2008-09 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Jada Wooten, 5620 Live Oak  
Frank Ward, P. O. Box 50694  
Gwain Wooten, 4625 Bryan St.  
Jewel Floyd, 3815 Myrtle St.

Councilmember Rasansky moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1578

Item 74: A public hearing to receive comments on the proposed FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the proposed FY 2007-08 Reprogramming Budget - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Frank Ward, P. O. Box 50694

Phyllis Fleming, 318 Sherir Lane, **Mabank, TX**, representing Citizens Development Center

Jada Wooten, 5620 Live Oak

Jewel Floyd, 3815 Myrtle St.

Gwain Wooten, 4625 Bryan St.

Councilmember Salazar moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1579

**Ambassador Aviation, Ltd.**

**Note:** Item Nos. 1 and 2 must  
be considered collectively.

Addendum addition 1: Authorize an amendment to the lease agreement with Ambassador Aviation, Ltd. and DalExec, L.L.C. (co-owners of Ambassador Aviation) to add eight years to the lease term, adjust rent escalators and grant an option to add approximately 12,000 square feet of land to the lease when it becomes available, in consideration of Ambassador Aviation, Ltd. and DalExec, L.L.C. commitment to expend not less than \$1,000,000 on new capital improvements on the leased premises within ten years from the effective date of the lease amendment at Dallas Executive Airport - Estimated Annual Revenue \$8,363

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1580

**Ambassador Aviation, Ltd.**

**Note:** Item Nos. 1 and 2 must  
be considered collectively.

Addendum addition 2: Authorize a Chapter 380 economic development grant agreement with Ambassador Aviation, Ltd. and DalExec, L.L.C. in the amount of \$750,000 in consideration of infrastructure development and other related costs associated with its expansion at Dallas Executive Airport, pursuant to the Public/Private Partnership Program - Not to exceed \$750,000 - Financing: Public/Private Partnership Funds

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1581

Addendum addition 3:            Authorize a professional services contract for the planning and design of a South Dallas Fair Park Entertainment District - Mill City Renaissance Fund, Inc., only proposer - Not to exceed \$148,500 - Financing: U.S. Department of Housing Urban Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1582

Addendum addition 4: An ordinance amending Chapter 43 of the Dallas City Code to: **(1)** revise fees for newsrack licenses; **(2)** revise certain design and appearance standards and locational requirements for newsracks; **(3)** revise the boundaries of the “expanded central business district” multiple newsrack unit zone and require plans for the installation of multiple newsrack units in the zone; **(4)** provide for certain notices to be published in a newspaper of general circulation in the city; **(5)** authorize the city to contract for the installation, operation, maintenance, repair, removal, and replacement of multiple newsrack units in a multiple newsrack unit zone; **(6)** provide transitional provisions; and **(7)** amend Ordinance No. 26809 to reduce transitional license fees - Financing: No cost consideration to the City

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

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

The following individual addressed the city council regarding the item:

John Crawford, 1412 Main Street, representing Downtown Dallas

Councilmember Hunt moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27201.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1583

Addendum addition 5: Authorize a Chapter 380 economic development forgivable loan agreement with City Wide Community Development Corporation to acquire and demolish the Sunset Motel located at 4343 Lancaster Road and the Southern Comfort Motel located at 4411 Lancaster Road both in Dallas, Texas in the Lancaster Corridor to redevelop into two commercial buildings that will address a shortage of business rental space, provide a skills training facility and remove slum and blight from the area - Not to exceed \$850,000 - Financing: Public/Private Partnership Funds

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

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

Councilmember Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1584

Addendum addition 6:            Authorize the release of a lien in the amount of \$25,000 on real property held as collateral for a loan made by the South Dallas/Fair Park Trust Fund to Terrance Henderson d/b/a A Taste of New Orleans restaurant, 4837 Spring Avenue -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1585

**Davis Garden TIF District**

**Note:** Item Nos. 7 and 8 must  
be considered collectively.

Addendum addition 7:

Authorize **(1)** a development agreement with INCAP Master Development, LLC to provide funding for TIF-eligible project costs related to the horizontal development only (demolition and environmental remediation) of six structurally and functionally obsolete apartment complexes in anticipation of future vertical development and median improvements on Davis Street between Hampton and Montclair Roads in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and **(2)** the Davis Garden TIF District Board of Directors to dedicate up to \$4,008,247 from future Davis Garden TIF revenues in accordance with the development agreement - Not to exceed \$4,008,247 - Financing: Davis Garden TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1586

**Davis Garden TIF District**

**Note:** Item Nos. 7 and 8 must  
be considered collectively.

Addendum addition 8: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse INCAP Master Development, LLC up to \$4,008,247 for certain TIF-eligible project costs related to the environmental remediation and demolition of six structurally and functionally obsolete apartment complexes and median improvements on Davis Street between Hampton and Montclair Roads in the Davis Garden TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1587

Addendum addition 9: Authorize (1) the payment of General Obligation Homeless Bond funds to the Central Dallas Community Development Corporation for partial rehabilitation costs in connection with the CityWalk @ Akard Project located at 511 North Akard in exchange for the development of 50 units to be deed restricted for homeless and chronically homeless persons for a period of 30 years; and (2) an amendment to Resolution No. 07-1595, previously approved on May 23, 2007, to increase the number of units for the CityWalk @ Akard Project from 194 to 200 - Not to exceed \$1,500,000 - Financing: 2005 Bond Funds

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

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

The following individuals addressed the city council regarding the item:

Larry James, 4823 Tremont, representing Central Dallas Ministries  
John Green, Executive Director, Dallas Community Development Corporation

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1588

Addendum addition 10: Authorize **(1)** a public hearing to be held on June 11, 2008 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State Law, and at the close of the hearing, **(2)** approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1589

Addendum addition 11: An ordinance amending Chapter 40B of the Dallas City Code to: **(1)** enhance record keeping requirements for secondary metals recyclers; **(2)** require photographs and thumbprints of sellers of regulated metal property; **(3)** require regulated metal property be paid for by check mailed to the seller, unless the seller holds a valid cash transaction card; **(4)** require regulated metal property to be delivered in a motor vehicle to a secondary metals recycler's place of business; **(5)** require a five-day hold on purchased regulated metal property; **(6)** require proof of ownership or authority to sell catalytic converters; and **(7)** and make changes conforming to state law - Financing: No cost consideration to the City

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

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

The following individuals addressed the city council regarding the item:

Neil Goldberg, representing Gold Metals  
Arnold Gachman, representing Gachman Metals  
Pam Edaric, representing Best Metals  
Kelvin Bass, representing Senator Royce West

Mayor Pro Tem Garcia moved to delete the following proposed provisions of Chapter 40B, "Secondary Metals Recyclers," of the Dallas City Code relating to requirements for payment by check and cash transaction cards ( as set forth in the proposed ordinance) and to renumber the remaining provisions of Chapter 40B and the ordinance accordingly:

1. Section 40B-2(1) – the definition of "cash transaction card."
2. Section 40B-2(3) – the definition of "check."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1589

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3. Section 40B-3(b)(8)(A) and (B) – the requirement for copies of checks and cash transaction cards in purchase transaction records.
4. Section 40B-6(e) – the requirement for payment by check.
5. Section 40B-6(f) – requirements and procedures for cash transaction cards.
6. SECTION 2 of the proposed ordinance providing a July 15, 2008 effective date for the requirements relating to payment by check and cash transaction cards.

and pass the ordinance.

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

Assigned ORDINANCE NO. 27202.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1590

Addendum addition 12:       An ordinance amending Chapter 18 of the Dallas City Code to adjust solid waste disposal charges - Estimated Annual Revenue: \$297,566

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

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

Councilmember Neumann moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27203.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1591

Addendum addition 13: Authorize settlement in lieu of proceeding further with condemnation for the acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project - \$8,900,000 - Financing: 1998 Bond Funds (\$1,500,000), 2006 Bond Funds (\$5,200,000), and U.S. Army Corps of Engineers Project Cooperation Funds (\$2,200,000)

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

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

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Medrano. (Koop absent when vote taken)

After discussion, Councilmember Neumann moved to substitute for Councilmember Hill's motion to defer the item for one week.

Motion seconded by Councilmember Kadane. (Koop absent when vote taken)

During discussion, Mayor Leppert called a recess of the city council meeting at 6:09 p.m. as authorized by Section 551.071, Consultation with Attorney, of the Texas Open Meetings Act, to confer with the City Attorney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1591

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Following the executive session, Mayor Leppert reconvened the city council at 6:24 p.m.

Later in the meeting, Councilmember Neumann withdrew his substitute motion.

Councilmember Kadane, who seconded the substitute motion, also withdrew his motion.

Mayor Leppert called for the vote on the motion to approve the item.

Mayor Leppert declared the motion adopted. (Koop absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1592

Addendum addition 14: Authorize Supplemental Agreement No. 1 to the professional services contract with Finish Well Companies dba Global Bridgebuilders, formerly Diversity Management Strategies, LLC, **(1)** for the continuing assessment and development of a training program to enhance workforce diversity and employee productivity with the Water Utilities Department; and **(2)** perform assessments and develop training programs to enhance workforce diversity and employee productivity in additional departments - Not to exceed \$246,800 from \$72,000 to \$318,800 - Financing: Water Utilities Current Funds (\$96,800), Current Funds (\$150,000) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 28, 2008

08-1593

Addendum addition 15: A public hearing to receive comments regarding consideration of amendments to Article IX, Thoroughfares, of Chapter 51A, the Dallas Development Code, to amend regulations pertaining to the effective date of street name changes and an ordinance granting the amendments

(The staff and city plan commission recommended approval)

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

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

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

Assigned ORDINANCE NO. 27204.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 28, 2008

EXHIBIT C