

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 11, 2008

08-1650  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia (9:04 a.m.), Caraway (9:04 a.m.), Medrano, Neumann, Hill, Salazar (10:26 a.m.), Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt (\*9:29 a.m.)

ABSENT: [0]

The meeting was called to order at 9:02 a.m.

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

The invocation was given by James P. Walker, Ph.D., Senior Pastor of White Rock Community Church.

Councilmember Rasansky led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 4:06 p.m.

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Mayor

ATTEST:

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Assistant 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, JUNE 11, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 11, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1651

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: Barbara Lynn Freedman, 6826 Quaterway Dr.  
SUBJECT: Animal welfare

SPEAKER: Alex Wolf Hanschen, 17951 Windflower Way  
SUBJECT: Animal welfare

SPEAKER: Nancy Arbert, 2 Duncannon Court.  
SUBJECT: Animal welfare

SPEAKER: Cathi Wood, 5027 Stoneleigh Ave.  
REPRESENTING: Paws in the City  
SUBJECT: Animal welfare

SPEAKER: Ashlee Woods, 3918 Holland Ave.  
SUBJECT: Animal welfare

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Marie Finnegan, 4071 Clover Lane  
SUBJECT: Proposed changes to City Code, Chapter 7 (Animals)

SPEAKER: John Miles, 4071 Clover Lane  
SUBJECT: Proposed changes to City Code, Chapter 7 (Animals)

SPEAKER: B. M. Randolph, P. O. Box 210315  
REPRESENTING: Making a difference for Jesus Christ and helping people  
SUBJECT: Property and building acquisition with city help

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1651

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Corrupt Dallas Police Officer, criminal justice system, code compliance supervisor, past DA prosecuting attorney at Lew Sterret now in civil, and Dallas is a racist city

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Civil Rights violation against of DPD, KKK, and DISD

SPEAKER: Earnest Barnett Manning, 9523 E. Lake Highlands Dr.  
REPRESENTING: All Districts  
SUBJECT: Notice of constable sale (property)

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter  
REPRESENTING: The World  
SUBJECT: Ways to better myself in the world

SPEAKER: Gwain Wooten, 4625 Bryan St.  
REPRESENTING: R. A. W.  
SUBJECT: Equal justice under the law is a U. S. Constitutional Right

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1652

Item 1: Approval of Minutes of the May 28, 2008 City Council Meeting.

Councilmember Rasansky moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1653

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-52 and addendum addition consent agenda items 1-10, were presented for consideration.

Deputy Mayor Pro Tem Caraway requested that consent agenda items 2 and 30 be considered as individual items. Mayor Leppert stated that consent agenda items 2 and 30 would be considered as individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Councilmember Neumann requested that consent agenda items 31 and 32 be considered as individual items. Mayor Leppert stated that consent agenda items 31 and 32 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

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

Councilmember Davis requested that consent agenda items 9 and 15 be considered as individual items. Mayor Leppert stated that consent agenda items 9 and 15 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Davis' request.

Councilmember Rasansky requested that consent agenda items 6, 7, 20, 25, 27, 51 and addition addendum consent agenda items 2, 3, 4, 6, 7 and 10 be considered as individual items. Mayor Leppert stated that consent agenda items 6, 7, 20, 25, 27, 51 and addition addendum consent agenda items 2, 3, 4, 6, 7 and 10 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 2, 6, 7, 9, 15, 20, 25, 27, 30, 31, 32, 51 and addendum addition consent agenda with the exception of addition addendum consent agenda items 2, 3, 4, 6, 7 and 10 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1654

Item 2: Authorize five concession contracts for one hundred twenty-six months, or ten and one-half years, each, with one sixty-month extension option each, for Golf Pro Shop Manager with Bob Smith at Tenison Park Golf Course in the amount of \$1,992,957, Mickey Ray Piersall at L. B. Houston Golf Course in the amount of \$631,311, Ira McGraw at Cedar Crest Golf Course in the amount of \$669,908, James R. Henderson at Stevens Park Golf Course in the amount of \$566,394 and Tony Martinez at Grover C. Keeton Park Golf Course in the amount of \$435,506, most advantageous proposers of ten - Estimated Annual Revenue: \$4,296,076

Deputy Mayor Pro Tem Caraway 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 Deputy Mayor Pro Tem Caraway's request.

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

Deputy Mayor Pro Tem Caraway moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1655

Item 3: Authorize the purchase of one natural gas emergency generator to be used by Convention and Event Services - Cummins Southern Plains, LLC., lowest responsible bidder of four - Not to exceed \$71,925 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1656

Item 4: Authorize a thirty-six-month service contract for installation, monitoring and maintenance of alarm systems and annual fire alarm inspections - Alarm Security Group, LLC, lowest responsible bidder of five - Not to exceed \$762,438 - Financing: Current Funds (\$712,439), Water Utilities Current Funds (\$49,999) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1657

Item 5: Authorize a thirty-six-month service contract for repair, maintenance and parts for heating, ventilation and air conditioning systems in buildings maintained by the Park and Recreation Department and other City facilities - Gulf Energy Systems, Inc., lowest responsible bidder of three - Not to exceed \$651,082 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1658

Item 6: Authorize a thirty-six-month service contract for maintenance and repair of fuel pumps, dispensing equipment, lines and tanks - McCon Building and Petroleum Services, Inc., only bidder - Not to exceed \$749,902 - Financing: Current Funds (subject to annual appropriations)

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.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1659

Item 7: Authorize a twelve-month service contract, with two twelve-month renewal options, for the publishing of official notices and City advertising - The Dallas Morning News, Sole Source - Not to exceed \$1,000,000 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 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 7 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1660

Item 8: Authorize a thirty-six-month master agreement for propane - Northwest Butane Gas Company, lowest responsible bidder of two - Not to exceed \$292,033 - Financing: Current Funds (\$74,939), Water Utilities Current Funds (\$206,850), Convention and Event Services Current Funds (\$3,940), Aviation Current Funds (\$6,304)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1661

Item 9: Authorize a twenty-four-month master agreement for back-up tapes - Applied Data Resources, Inc., lowest responsible bidder of ten - Not to exceed \$447,727  
- Financing: Current Funds

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

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

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1662

Item 10: Authorize a twenty-four-month master agreement for traffic signal poles, mast arms, transformer bases, and screw-in foundations - Union Metal Corporation in the amount of \$318,244, and Component Products, Inc. in the amount of \$109,250, lowest responsible bidders of eight - Total not to exceed \$427,494 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1663

Item 11: Authorize a professional services contract with the law firm of Patton Boggs LLP for legal services necessary in the renegotiation of the McCommas Bluff landfill gas agreement between the City of Dallas and Dallas Clean Energy LLC  
- Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1664

Item 12: Authorize moving expense and replacement housing payments for Alton and Lupe Juarigui 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 \$51,200 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1665

Item 13: Authorize moving expense and replacement housing payments for Juan and Teresa Rojas 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 \$41,400 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1666

Item 14: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Remnant of Grace Ministries Church of approximately 4,968 square feet of unimproved land located near the intersection of Arden Road and Bronx Avenue for the Arden Road Project - \$15,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1667

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Seastrunk Enterprises, LLC, of approximately 4,000 square feet of unimproved land located near the intersection of Signet and Roberta Streets for pavement and drainage improvements for the Mouser Street Project - \$5,120 - Financing: 2004-05 Community Development Grant Funds

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

Later in the meeting, agenda item 15 was brought up for consideration.

Councilmember Davis moved to defer the item until the August 13, 2008 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1668

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 27 properties improved with single family homes in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed use of future City facilities (list attached) - \$1,237,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1669

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert B. Drennan and Roberto Marquez, of two tracts of land containing a total of approximately 13,250 square feet improved with multi-family units located near the intersection of Tenth Street and Bishop Avenue for the North Oak Cliff Library Project (list attached) - \$449,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1670

Item 18: Authorize the quitclaim of 17 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue \$232,331

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1671

Item 19: A resolution consenting to the sale of a tax foreclosed property, located at 7500 Westmoreland Road, acquired by the taxing authorities from a Sheriff's Sale to K. P. Star Investments, Inc. - Revenue: \$35,984

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1672

Item 20: An ordinance abandoning a portion of a water and wastewater easement to ZCG Henderson, LLC, the abutting owner, containing approximately 3,792 square feet of land located near the intersection of Belmont and Henderson Avenues - Revenue: \$5,400 plus the \$20 ordinance publication fee

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

Councilmember Medrano moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27205.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1673

Item 21: An ordinance abandoning portions of utility and sanitary sewer easements to HCP DR MCD, LLC, the abutting owner, containing a total of approximately 25,086 square feet of land, located near the intersection of Park Central Drive and Forest Lane - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27206.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1674

Item 22: An ordinance abandoning a portion of a water line easement to the Dallas County Community College District, the abutting owner, containing approximately 2,322 square feet of land located near the intersection of Walnut Street and Abrams Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27207.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1675

Item 23: An ordinance abandoning a portion of Reagan Street to CH Woodlawn, L.P., the abutting owner, containing approximately 12,250 square feet of land, located near its intersection with the Dallas North Tollway and authorizing the quitclaim - Revenue: \$572,688 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27208.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1676

Item 24: An ordinance authorizing a correction to Ordinance No. 26940, previously approved on September 26, 2007, rezoning property from an MC-4 Multiple Commercial District and an IR Industrial Research District to an RR Regional Retail District on the southeast corner of IH-20 and Autobahn Drive to correct the zoning districts listed in the introduction and Section 1 of the ordinance - Z067-252(RB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27209.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1677

Item 25: Authorize a public hearing to be held on June 25, 2008 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 71 located at the northeast corner of Dallas Avenue and Telephone Road; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 71; **(2)** a 75 percent real property tax abatement for ten years with Ridge South Dallas I, LLC; and **(3)** a development agreement with Ridge South Dallas I, LLC in an amount not to exceed \$10,550,000 for public infrastructure improvements, including, but not limited to, sanitary sewer, water, and road improvements - Financing: No cost consideration to the City

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

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

Councilmember Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1678

Item 26: Authorize a seven-year lease agreement with Jay Elins, for approximately 10,100 square feet of office and warehouse space located at 2233 Valdina Street, Suite Nos. 105-107, to be used by the Women, Infants and Children Clinic as a central supply storage facility for the period September 1, 2008 through August 31, 2015 - Not to exceed \$434,300 - 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

JUNE 11, 2008

08-1679

Item 27: Authorize **(1)** an Interlocal Agreement with Dallas County for the provision of homeless assistance services at the Homeless Assistance Center through Metro Dallas Homeless Alliance through September 30, 2008, **(2)** the receipt and deposit of monthly payments from Dallas County in the amount of \$83,334, for the period May 1, 2008 through September 30, 2008 in an amount not to exceed \$416,667, and **(3)** the counting of Dallas County's monthly payments toward Metro Dallas Homeless Alliance's required financial contribution for the management and operation of the Homeless Assistance Center, as provided for in the Management Services Contract, Phase II with Metro Dallas Homeless Alliance - Not to exceed \$416,667 - Financing: Intergovernmental Revenue - Dallas County

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

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

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1680

Item 28: Authorize a construction contract for ceiling repairs and the installation of a protective thermal lining system at the Dodd J. Miller, Fire Training and Maintenance Center located at 5000 Dolphin Road - E.H. Glover, Inc., d.b.a, High Temperature Linings, lowest responsible bidder of three - \$102,954 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1681

Item 29: Authorize a contract for the replacement of a chiller unit at the Jack Evans Police Headquarters located at 1400 South Lamar Street - Gulf Energy Systems, Inc., lowest responsible bidder of five - \$164,450 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1682

Item 30: Ratify an emergency repair to the Club House at Cedar Crest Golf Course located at 1800 Southerland Avenue for structural walls repairs resulting from a vehicle colliding with the facility - Mitchell Enterprises, Ltd., the only bidder - \$55,000 - Financing: Capital Construction Funds

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

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

Deputy Mayor Pro Tem Caraway moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1683

Item 31: Authorize a resolution in support of the Texas Department of Housing and Community Affairs Tax-exempt Bond and 4% Tax Credit financing pursuant to Section 50.5 (7) (A-C) , and 50.5 (8) (A-D) (iv) of the Qualified Allocation Plan 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

Councilmember Neumann requested that consent agenda item 31 be considered as an individual item. Mayor Leppert stated that consent agenda item 31 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 31 was brought up for consideration.

Councilmember Neumann moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1684

Item 32: Authorize a resolution in support of the Texas Department of Housing and Community Affairs Tax-exempt Bond and 4% Tax Credit financing pursuant to Section 50.5 (7) (A-C) , and 50.5 (8) (A-D) (iv) of the Qualified Allocation Plan 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 I, LP - Financing: No cost consideration to the City

Councilmember Neumann 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 Neumann's request.

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

Councilmember Neumann moved to approve the resolution with the following modifications:

- Section 1. Insert the following wording that has been underlined:  
Insert: and base upon a market study showing a need for additional units, Sec 50.6 (e)(4)(B) after "Sec. 50.5 (8) (A-D)", and prior to "of the Qualified Allocation Plan...." and to
- Section 5. to include:  
Insert: and Sec. 50.6 (e) (4) (B) after "Sec. 50.5 (8) (A-D)", and prior to "of the Qualified Allocation Plan...."

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1685

Item 33: Authorize acquisition of two vacant lots located at 2432 Hooper Street and 6112 Bexar Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$31,700 including estimated closing costs - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1686

Item 34: Authorize the reconstruction on-site of six homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 5111 Lindsley Avenue in the amount of \$87,500, 3827 Herrling Street in the amount of \$87,500, 3912 Kynard Street in the amount of \$87,500, 2617 Pall Mall Avenue in the amount of \$87,500, 653 Elwayne Avenue in the amount of \$86,500 and 436 Hart Street in the amount of \$85,238 - Total not to exceed \$521,738 - Financing: 2006-07 HOME Funds (\$4,780); and 2007-08 Community Development Grant Funds (\$516,958)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1687

Item 35: Authorize **(1)** the release of non-tax City liens against five privately held vacant properties located at 402 Bobbie Street, 411 Hart Street, 507 North Moore Street, 511 North Moore Street and 515 North Moore Street, in exchange for Texas Heavenly Homes, Ltd. providing an unsecured promissory note in the amount of the non-tax liens, estimated to be \$2,394 for the property at 402 Bobbie Street, \$1,566 for the property at 411 Hart Street, \$1,409 for the property at 507 North Moore Street, \$1,061 for the property at 511 North Moore Street and \$2,266 for the property at 515 North Moore Street , paying all delinquent taxes, penalties and interest on the properties, and providing affordable housing on each property for low-income households in accordance with the City's Land Transfer Policy and Program Statement; and **(2)** an exception to the City's Land Transfer Policy and Program Statement extending the development period from 2 years to 4 years of release of non-tax liens - Estimated Revenue Foregone: \$8,696

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1688

Item 36: Authorize an application to the National Park Service's Preserve America Grant Program in the amount of \$250,000 for an information center, educational materials, trail markers, interpretive and building signage, and brochures at Fair Park located at 1200 Second Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1689

Item 37: Authorize a contract for the construction of a new parking lot, security lighting, and a portable toilet enclosure at Northaven Park located at 3800 Northaven Road - Wall Enterprises, lowest responsible bidder of four - Not to exceed \$184,506 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1690

Item 38: Authorize a contract for the installation of a new playground and construction of a new parking lot at Cheyenne Park located at 700 Cheyenne Road - Henneberger Construction, Inc., lowest responsible bidder of four - Not to exceed \$185,007 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1691

Item 39: Authorize a professional services contract with Johnson/McKibben Architects, Inc. for a topographic survey, master plan, and schematic design through construction administration services for expansion of the facility, rest room renovation, roof repair/replacement, and heating, ventilation and air conditioning replacement at Kleberg/Rylie Recreation Center located at 1515 Edd Road - Not to exceed \$105,065 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1692

Item 40: Authorize a professional services contract with McAfee 3 Architects for a topographic survey and schematic design through construction administration services for a new tennis center pro-shop at Samuell-Grand Park located at 6200 East Grand Avenue - Not to exceed \$93,680 - Financing: Samuell Park Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1693

Item 41: Authorize a professional services contract with Ron Wommack Architect for a topographic survey and schematic design through construction administration services for a new concession and rest room facility at Samuell-Garland Park located at 12200 Garland Road - Not to exceed \$63,818 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1694

Item 42: Authorize an increase in the contract with Dean Electric, Inc., dba Dean Construction for the relocation of the Fisher Road overlook, electrical service modifications, additional traffic control signage, extension for rental of temporary coffer dam, erosion control and wetland mitigation, and additional hike and bike trail replacement on East Lawther Drive at the Celebration Tree Grove at White Rock Lake Park located at 8300 Garland Road, and replacement of fabric shade canopies with metal canopies at the tournament softball complex at Kiest Park located at 3080 South Hampton Road - Not to exceed \$509,975, from \$4,303,770 to \$4,813,745 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1695

Item 43: Authorize **(1)** an increase in the contract with Phoenix I Restoration and Construction, Ltd. for interior finishout and other minor modifications including roofing modifications, additional landscape and irrigation, and new motorized shades for the Texas Discovery Gardens in Fair Park located at 3601 Martin Luther King Jr. Boulevard in the amount of \$343,128, from \$4,703,000 to \$5,046,128; and, **(2)** an increase in appropriations in the amount of \$358,892 in the Capital Gifts, Donation and Development Fund - Not to exceed \$343,128 - Financing: 2006 Bond Funds (\$85,128) and Capital Gifts, Donation and Development Funds (\$258,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1696

Item 44: Authorize a professional services contract with GSWW, Inc. for the engineering design of a thoroughfare project for Cadiz Street from South Industrial Boulevard to the railroad underpass - Not to exceed \$232,541 - Financing: 2006 Bond Funds (\$184,148) and Water Utilities Capital Construction Funds (\$48,393)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1697

Item 45: Authorize **(1)** a contract for the Love Field baggage claim garage "A" tunnel modification project with Gilbert May, Inc. dba Phillips/May Corporation, lowest responsible bidder of three, in an amount not to exceed \$157,333; and **(2)** an increase in appropriations in an amount not to exceed \$157,333 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$157,333 - Financing: Aviation Capital Construction Funds (\$39,333) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$118,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1698

Item 46: Authorize **(1)** an increase in the contract with AUI Contractors, LP to perform additional work necessary for the construction of the fuel and chemical containment systems at eleven locations at Dallas Love Field, in an amount not to exceed \$66,100, from \$1,791,088 to \$1,857,188; and **(2)** an increase in appropriations in an amount not to exceed \$66,100 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$66,100 - Financing: Aviation Passenger Facility Charge Funds (\$16,525) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$49,575)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1699

Item 47: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Raydell Place from Schooldell Drive to South Barnett Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on August 13, 2008, to receive comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1700

Item 48: An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** prohibit stopping, standing, or parking at a parking meter beyond the posted maximum legal time limit; **(2)** establish and revise parking rates for various streets and parking lots; **(3)** establish effective times for parking rates; **(4)** provide for placement of parking meters for metered parking spaces; and **(5)** apply offense and penalty provisions of state law to disabled parking violations occurring on private property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27210.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1701

**IH 35 at Motor Street**

**Note:** Item Nos. 49 and 50 must  
be considered collectively.

Item 49: Authorize a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation for replacement of overhead guide signs on IH 35 at Motor Street - Not to exceed \$40,000 - Financing: 2003 Bond Funds (\$20,000) and Capital Projects Reimbursement Funds (\$20,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1702

**IH 35 at Motor Street**

**Note:** Item Nos. 49 and 50 must  
be considered collectively.

Item 50: Authorize **(1)** a Participation Agreement with the Southwestern Medical District for replacement of overhead guide signs on IH 35 at Motor Street; **(2)** receipt and deposit of funds from the Southwestern Medical District in an amount not to exceed \$20,000; and **(3)** an increase in appropriations in the amount of \$20,000 in the Capital Projects Reimbursement Fund - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1703

Item 51: Authorize an increase in the contract with Sedalco, LP for furnishing and installing furniture, additional handrails along arrival path, additional humidistats and carbon dioxide sensors to assure Leadership in Energy and Environmental Design Gold certified status, regrading and reseeding along access road, and structural steel modifications for the Trinity River Audubon Center - Not to exceed \$260,805, from \$11,864,879 to \$12,125,684 - Financing: 1998 Bond Funds

Councilmember Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Leppert stated that consent agenda item 51 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 51 was brought up for consideration.

Councilmember Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1704

Item 52: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc., for additional water main installation at a utility easement south of Merrifield Road and Mountain Creek Parkway - \$530,722, from \$5,853,083 to \$6,383,805 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1705

Item 53: 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 assistant 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 June 11, 2008.

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

Councilmember Medrano moved to appoint Councilmember Jerry Allen to the Police Fire Pension Board.

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

Councilmember Medrano moved to appoint Christie Hernandez, Vice-Chair, Reinvestment Zone Number Four Board (Cedars) and Pat Priest, Vice Chair, Reinvestment Zone Number Eight (Design District).

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

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

**08-5168 POLICE FIRE PENSION BOARD**  
**08-5169 BOARD OFFICER**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1706

Item 54: An ordinance abandoning a portion of Pavillion Street to Twin Lakes Plaza, L.P., the abutting owner, containing approximately ~~3,179~~ 3,974 square feet of land located near its intersection with Flora Street, and authorizing the quitclaim and providing for the dedication of a total of approximately 5,894 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Councilmember Hunt moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27211.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1707

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 55-59 was presented for consideration.

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

~~Agenda item 55: Zoning Case Z078-160 (JH) [considered individually]~~

Agenda item 56: Zoning Case Z078-167 (MAW)

Agenda item 57: Zoning Case Z078-168 (MAW)

~~Agenda item 58: Zoning Case Z078-179 (JH) [considered individually]~~

Agenda item 59: Zoning Case Z078-186 (WE)

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

Councilmember Allen moved to close the public hearing, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1708

Item 55: Zoning Case Z078-160 (JH)

The consent zoning docket consisting of agenda items 55-59 was presented for consideration.

Councilmember Hunt 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 Hunt's request.

A public hearing was called on zoning case Z078-160 (JH), an application for and an ordinance granting a Planned Development District for multifamily uses and an ordinance terminating a portion of Specific Use Permit No. 77 for a cemetery use on property zoned an MF-1(A) Multifamily District on the south side of Northwest Highway, east of Admiral Drive

(The staff and the city plan commission recommended approval, subject to a conceptual plan and conditions and approval of the termination of a portion of Specific Use Permit No. 77)

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

Councilmember Hunt moved to close the public hearing, and approve Planned Development District No. 787 with the following changes:

- (1) Maximum structure height is:
  - In Subarea 1, 36 feet in the area between 10 feet and 48 feet from the western property line; otherwise 60 feet.
  - In Subarea 6, 36 feet in the area between 10 feet and 48 feet from the western property line; otherwise, 80 feet.
- (2) For carports and single-story parking structures, no side or rear yard must be provided along the western Property line.

and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1708

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Motion seconded by Councilmember Kadane and unanimously adopted..

Later in the meeting, Councilmember Hunt stated the City Attorney requested the following information should be read into the record as a part of the motion to properly dispose of the original motion “ move to and approve the termination of a portion of special use permit 77,” and pass the ordinance.

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

.  
Assigned ORDINANCE NO. 27212 AND 27213.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1709

Item 56: Zoning Case Z078-167(MAW)

The consent zoning docket consisting of agenda items 55-59 was presented for consideration.

A public hearing was called on zoning case Z078-167 (MAW), an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District uses on property zoned an MF-1(A) Multifamily District on the south side of Skillman Street, east of Merriman Parkway

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27214.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1710

Item 57: Zoning Case Z078-168 (MAW)

The consent zoning docket consisting of agenda items 55-59 was presented for consideration.

A public hearing was called on zoning case Z078-168 (MAW), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District uses on property zoned an MU-3 Mixed Use District on the south side of Yale Boulevard between Greenville Avenue and Worcola Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27215.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1711

Item 58: Zoning Case Z078-179 (JH)

The consent zoning docket consisting of agenda items 55-59 was presented for consideration.

Councilmember Neumann 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 Neumann's request.

A public hearing was called on zoning case Z078-179 (JH), an application for and an ordinance granting a CR Community Retail District and a resolution accepting the deed restriction volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the west side of Duncanville Road, north of Red Bird Lane

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

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

Councilmember Neumann moved to close the public hearing and approve the change of zoning with deed restrictions that have been amended to prohibit the following additional uses:

1. Massage establishment.
2. Piercing salon.
3. Tattoo studio.

and pass the ordinance.

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

Assigned ORDINANCE NO.27216.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1712

Item 59: Zoning Case Z078-186 (WE)

The consent zoning docket consisting of agenda items 55-59 was presented for consideration.

A public hearing was called on zoning case Z078-186 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1252 for a child care facility on property zoned an R-7.5(A) Single Family District, on the northwest corner of Jim Miller Road and Sarah Lee Drive

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27217.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1713

Item 60: Zoning Case Z078-141 (RB) INDIVIDUAL

A public hearing was called on zoning case Z078-141 (RB), an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District Uses on property zoned an MU-2 Mixed Use District at the northeast corner of Greenville Avenue and Walnut Hill Lane

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

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

P. Michael Jung, 4400 Bank of America Plaza, representing Presbyterian Hospital of Dallas  
Mark H. Merrill, 6822 Meadow Rd., President of Presbyterian Hospital of Dallas

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

Kirk Williams, representing the applicant  
Monzer Hourani, 7670 Woodway, **Houston, TX**  
Tony Das, 7150 Greenville Ave., representing Physicians

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

Motion seconded by Councilmember Allen.

After discussion, Deputy Mayor Pro Tem Caraway moved to substitute for Councilmember Rasansky's motion to deny and to continue the public hearing and hold under advisement until the August 13, 2008 voting agenda meeting of the city council for additional work with staff and additional traffic study:

Motion seconded by Councilmember Atkins.

After discussion, Mayor Leppert called the vote on Deputy Mayor Pro Tem Caraway's substitute motion to continue the public hearing and hold under advisement until the August 13, 2008 voting agenda meeting of the city council for additional work with staff and additional traffic study:

Voting Yes: [11] Leppert, Garcia, Caraway, Medrano, Neumann, Salazar,  
Davis, Atkins, Kadane, Koop, Natinsky  
Voting No: [3] Allen, Rasansky, Hunt  
Absent when vote taken: [1] Hill

Mayor Leppert declared the substitute motion adopted.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1714

Item 61: Zoning Case Z078-142 (RB) 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 Z078-142 (RB), an application for and an ordinance granting a Planned Development Subdistrict for Multiple family, Hotel and motel, Restaurant without drive-through service, and Health studio uses on property zoned an O-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fairmount Street between Enid Street and Turtle Creek Boulevard and a request by the applicant to terminate the D Dry Liquor Control Overlay with consideration to the granting of the D-1 Dry Liquor Control Overlay and the granting of a Specific Use Permit for a Restaurant with alcohol sales

(The staff recommended approval of a Planned Development Subdistrict, subject to a development plan, landscape plan, and staff's recommended conditions, and retention of the D-1 Dry Liquor Control Overlay and the city plan commission recommended denial of a Planned Development Subdistrict, and denial of the removal of the D-1 Dry Liquor Control Overlay)

Corrected on the addendum.

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

Gary Switzer, 506 St. Clements Ave.

David Pontarini, 27 Hampton Ave. **Toronto, Ontario**

Karl Crawley, 900 Jackson St.

Michael Milliken, 3532 Cedar Plaza, President of Oak Lawn Committee

Jack Gosnell, 3530 Haynee Ave.

Tom Bakewell, 3500 Maple, representing Gables Residential

Don Powell, 6809 Poco Dr., **Parker, TX**

Frank Welch, 3511 Cragmont, representing Great Gulf Ground

Newt Walker, 2519 Thomas

Marilyn Galambush, 2525 Turtle Creek

Betty Lible, 2727 Turtle Creek, representing Trammel Crow Residential

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1714

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

Randall Austin McGehee, 4327 Holland, representing Rosewood Mansion on Turtle  
Creek

Nick Giuseppe, no address given

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

James Pratt, 3520 Routh St.

Allen Rubin, 2714 Turtle Creek Circle, President of the Turtle Creek Circle  
Homeowners Association

Cay Kolb, 4402 Rawlins

Wendy Jenkins, 2830 Park Bridge Ct.

Earl Schander, 2525 Turtle Creek

Karin Lucas, 2525 Turtle Creek, representing Turtle Creek Gardens Homeowners  
Association

Councilmember Hunt moved to close the public hearing and approve Planned Development  
Subdistrict No. 82 with the following change:

- For a special residential project, all parking must be located underground.

and pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted.

Assigned ORDINANCE NO. 27218.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1715

Item 62: Zoning Case Z067-148 (DW) UNDER ADVISEMENT - INDIVIDUAL

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 and 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)

Note: This item was considered by the City Council at a public hearing on May 28, 2008, and was taken under advisement until June 25, 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:

Jonathan Vinson, representing the applicant

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Councilmember Neumann 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 Kadane and unanimously adopted. (Garcia, Natinsky, Rasansky absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1716

Item 63: Zoning Case Z078-147 (RB) UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z078-147 (RB), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 306 for a Public School and Community Service Center on property zoned Planned Development District No. 306 and an R-7.5(A) Single Family District on the west line of Edgefield Avenue, between Twelfth Street and Brooklyn Avenue

(The staff recommended denial and city plan commission recommended approval, subject to a development plan, landscape 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 June 11, 2008, with the public hearing open.

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 27219.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1717

Item 64: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements, for Project Group 03-447; and, at the close of the hearing, authorize an ordinance levying assessments (list attached) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 27220.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1718

Item 65: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by Redfield Investments, L.P. (5417, 5427 and 5422 Redfield Street and 2231 and 2241 Butler Street), Hardy SV, L.P. (5430, 5432, 5502, 5506, 5512 and 5514 Redfield Street) and Redfield-Butler, L.P. (2311 Butler Street) located near the intersection of Redfield and Butler Streets and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Redfield Investments, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff 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 individual addressed the city council regarding the item:

Patrick Gobb, professional engineer

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 27221.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1719

Item 66: A public hearing 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-sponsored youth programs in compliance with State law, and, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Hill and unanimously adopted.

Assigned ORDINANCE NO. 27222.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1720

Item 67: A public hearing to receive comments on the proposed use of a portion of Trinity River Park for the installation of a new 345 kV power transmission line; and, at the close of the hearing, consideration of a resolution authorizing the use; and authorizing the City to deposit payment from Oncor for the fair market value of the easements - Estimated Revenue: \$107,831

The following individual addressed the city council regarding the item:

Gwain Wooten, 4625 Bryan

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

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1721

Addendum addition 1: Authorize an application for and acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible costs for capital improvement projects at Dallas Love Field - Not to exceed \$4,733,534 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1722

Addendum addition 2:           An ordinance amending Section 12A-5 of CHAPTER 12A, "CODE OF ETHICS," of the Dallas City Code, as amended; allowing City officials and employees to accept gifts, tickets, meals, travel, lodging, entertainment, and honoraria in accordance with policies established by City Council resolution - Financing: No cost consideration to the City

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 consent item 2 was brought up for consideration.

Councilmember Medrano moved to pass the ordinance.

Motion seconded by Councilmember Salazar.

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."

Assigned ORDINANCE NO. 27223.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1723

Addendum addition 3:           A resolution adopting policy guidelines for Councilmembers concerning the solicitation and acceptance of gifts, tickets, meals, travel, lodging, entertainment, and honoraria - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition consent agenda item 3 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Medrano moved to approve the resolution.

Motion seconded by Councilmember Salazar.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1724

Addendum addition 4: Authorize (1) entering into an option contract to secure the property for purchase from AVM-AUS, Ltd., at a determined acceptable purchase price and, upon satisfactory completion of due diligence investigation and review of the property, to exercise said option and close purchase, said property being approximately 73,311 square feet of land improved with a one story brick building located near the intersection of Westmoreland Road and Platinum Way; and (2) an increase in appropriations in the amount of \$906,000 in the Building Inspection budget - Not to exceed \$906,000, from \$26,086,747 to \$26,992,747 (\$900,000, plus closing costs not to exceed \$6,000) - Financing: Building Inspection Current Funds

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 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:

Edna Pemberton, 9438 Sophora St.

Councilmember Atkins moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1725

Addendum addition 5:           An ordinance abandoning a portion of an alley and an alley site easement to LG Fairmount LP, the abutting owner, containing approximately 9,193 square feet of land, located near the intersection of Routh and Carlisle Streets, and authorizing the quitclaim - Revenue: \$755,993 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27224.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1726

Addendum addition 6: An ordinance granting an amendment to 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 - Z067-222 - Financing: No cost consideration to the City

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

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

Councilmember Rasansky moved to pass the ordinance.

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

Assigned ORDINANCE NO. 27225.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1727

Addendum addition 7:            Authorize a contract for roof replacement at Family Gateway Center located at 711 South St. Paul Street - Castro Roofing of Texas, Inc., lowest responsible bidder of two - \$205,000 - Financing: Capital Construction Funds

Councilmember Rasansky requested that addendum addition consent agenda item 7 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 7 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 7 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1728

Addendum addition 8: Authorize **(1)** a construction contract for heating, ventilation, and air conditioning replacement at the Family Gateway Center located at 711 South St. Paul Street - Powers MEP Engineering, Inc., lowest responsible bidder of two in an amount not to exceed \$312,000; and **(2)** an increase appropriations in the amount of \$127,523 in the Capital Construction Fund - Total not to exceed \$312,000 - Financing: 2005-06 Community Development Grant Funds (\$145,277); Capital Construction Funds (\$166,723)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1729

Addendum addition 9: Authorize a construction contract for heating, ventilation, and air conditioning replacement at the Martin Luther King, Jr. Recreation Center located at 2922 Martin Luther King, Jr. Boulevard - City Wide Mechanical, Inc., lowest responsible bidder of three - \$66,310 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1730

Addendum addition 10: Authorize **(1)** a contract for the fabrication and installation of a fabric shade structure, site preparation, fine grading, and landscaping for a pavilion and observation deck at the Trinity Lakes located at the intersection of Beckley Avenue and Commerce Street - Fast Trak Construction, Inc., best value proposer of three in the amount of \$248,815, and **(2)** the establishment of appropriations in the amount of \$100,000 in the Fast Track Overlook Fund - Not to exceed \$248,815 - Financing: 1998 Bond Funds (to be partially reimbursed from Private Funds)

Councilmember Rasansky requested that addendum addition consent agenda item 10 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 10 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Salazar.

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." (Atkins absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1731

Addendum addition 11: 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 south 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 the retention of the D-1 Liquor Control Overlay)

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

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

Vickie Rader, no address given

Councilmember Atkins moved to close the public hearing and approve Planned Development No. 789 with the following change:

- 1) To avoid traffic hazards, start times for showings on screens 1, 2, and 3 must be staggered a minimum of 15 minutes apart.
- 2) The hours of operation are limited to 5 p.m. to 12 a.m. (midnight) Monday through Sunday during winter months, and are limited to 9 p.m. to 1:30 a.m. Monday through Sunday during summer months (June 1st to September 1st)

and pass the ordinance.

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

Assigned ORDINANCE NO. 27226.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JUNE 11, 2008

EXHIBIT C



**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1715

Item 62: Zoning Case Z067-148 (DW) UNDER ADVISEMENT - INDIVIDUAL

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 and 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)

Note: This item was considered by the City Council at a public hearing on May 28, 2008, and was taken under advisement until June 25, 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:

Jonathan Vinson, representing the applicant

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Councilmember Neumann 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 Kadane and unanimously adopted. (Garcia, Natinsky, Rasansky absent when vote taken)

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1716

Item 63: Zoning Case Z078-147 (RB) UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z078-147 (RB), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 306 for a Public School and Community Service Center on property zoned Planned Development District No. 306 and an R-7.5(A) Single Family District on the west line of Edgefield Avenue, between Twelfth Street and Brooklyn Avenue

(The staff recommended denial and city plan commission recommended approval, subject to a development plan, landscape 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 June 11, 2008, with the public hearing open.

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 27219.

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 11, 2008

08-1717

Item 64: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements, for Project Group 03-447; and, at the close of the hearing, authorize an ordinance levying assessments (list attached) - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 27220.