

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 25, 2008

08-1750
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [14] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Atkins,
Kadane, Allen (*9:25), Koop, Natinsky, Rasansky, Hunt (*9:30)

ABSENT: [1] Davis absent on city business

The meeting was called to order at 9:00 a.m.

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

The invocation was given by Rabbi Joseph Menashe, Congregation Shearith Israel.

Larry Duncan, President of Dallas County School Board (former Councilmember) 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 7:37 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

Councilmember Hill closed with the benediction.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 25, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 25, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1751

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: James Fontenberry, 7440 La Vista Dr.
REPRESENTING: SEIU, Local 100
SUBJECT: Sanitation workers pay

SPEAKER: Bobbie McGee, 2254 Stovall
REPRESENTING: ACORN
SUBJECT: Sanitation workers - wages

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. D. Jackson, Jr. Institute
SUBJECT: Street name

SPEAKER: Walter Ender, 5341 Mercedes Ave.
SUBJECT: Water rates

SPEAKER: Richard Sheridan
SUBJECT: A call for godly sights over city government

OPEN MICROPHONE – END OF MEETING

SPEAKER: Mearion Harris, 2548 Bahama Dr.
REPRESENTING: The future of Dallas
SUBJECT: Credit ability of DART

SPEAKER: Clara McDade, 4127 Happy Canyon Dr.
SUBJECT: Questions from the June 16th Town Hall Meeting

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

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

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Racism against Dallas City Council, KKK, and public speakers

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter
SUBJECT: Leslie Allen Davis a catalyst for change

SPEAKER: Gwain Wooten, 4625 Bryan St.
REPRESENTING: Real American Women (R. A. W.)
SUBJECT: Freedom of Speech is a right under the Constitution of the United States of America

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: East Dallas and South Dallas Code Enforcement

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1911

Mayor's State of the City Address

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1752

Item 1: Approval of Minutes of the June 11, 2008 City Council Meeting

Mayor Pro Tem Garcia moved to approve the minutes with corrections.

Motion seconded by Councilmember Medrano and unanimously adopted. (Salazar, Kadane absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1753

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-86 and addendum addition consent agenda items 1-31, was presented for consideration.

The City Secretary requested that addendum addition consent agenda item 12 be considered as an individual item to allow citizens to speak. 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 the City Secretary's request.

Mayor Pro Tem Garcia requested that addendum addition consent agenda item 26 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Councilmember Neumann requested that consent agenda items 2, 31, 61, 74, 77 and addendum addition consent agenda items 15, 17, 26 and 31 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 31, 61, 74, 77 and addendum addition consent agenda items 15, 17, 18, 26 and 31 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Natinsky requested that consent agenda items 2, 12 and 22 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 12 and 22 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 2, 30, 46, 48, 58, 59, 66, 72, 77 and addendum addition consent agenda items 3, 6, 8, 15, 18 and 26 be considered as individual items. Mayor Leppert stated that consent agenda items 2, 30, 46, 48, 58, 59, 66, 72, 77 and addendum addition consent agenda items 3, 6, 8, 15, 18 and 26 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Hunt 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 Hunt's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1753

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Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 2, 12, 22, 30, 31, 46, 48, 58, 59, 61, 66, 72, 74 and 77, and addendum addition consent agenda items 3, 6, 8, 12, 13, 15, 17, 18, 26 and 31 which would be considered later in the meeting.

Motion seconded Councilmember Neumann and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1754

Item 2: Authorize approval of a five year lease agreement for restaurant space at Dallas Executive Airport - MD Promenade, Inc. most advantageous proposer of three - Estimated Annual Revenue: \$2,400

Councilmember Neumann, Councilmember Natinsky and Councilmember Rasansky 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 Neumann, Councilmember Natinsky and Councilmember Rasansky's request.

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

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Caraway, Medrano absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1755

Item 3: Authorize two supplements to the lease agreement with the Transportation Security Administration to **(1)** extend the existing lease term by eighteen months, from April 1, 2008 through September 30, 2009, and **(2)** add an additional 622 square feet of terminal building office space to the lease and increase the rental revenue to the City in the amount of \$7,325, from \$56,737 to \$64,062 at Dallas Love Field - Estimated Revenue: \$64,062

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1756

Item 4: Authorize a thirty-six-month service contract for temporary clerical and professional labor - EuroStaff, A Division of EuroSoft, Inc., lowest responsible bidder of ten - Not to exceed \$13,916,357 - Financing: Current Funds (\$12,166,570), Water Utilities Current Funds (\$1,749,787) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1757

Item 5: Authorize the purchase of nineteen ambulances - San Antonio Ambulance Sales, Inc., through the Houston-Galveston Area Council of Governments - Not to exceed \$2,270,607 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1758

Item 6: Authorize the purchase of three sky watch towers to be used by Dallas Police Department - ICx Tactical Platforms, lowest responsible bidder of two - Not to exceed \$234,534 - Financing: Current Funds (\$74,534), Bureau of Justice Assistance Grant Funds (\$160,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1759

Item 7: Authorize a thirty-six-month service contract for the purchase, service and maintenance of Global Positioning System equipment - Remote Dynamics, Inc., most advantageous proposer of six - Not to exceed \$697,059 - Financing: Current Funds (subject to annual appropriations)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1760

Item 8: Authorize a thirty-six-month master agreement for blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants and Children clinics - Products Unlimited, Inc., lowest responsible bidder of three - Not to exceed \$505,440 - Financing: Texas Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1761

Item 9: Authorize a thirty-six-month master agreement for tires and tubes - Gray's Wholesale Tire in the amount of \$5,008,503, Southern Tire Mart in the amount of \$1,387,205, Wingfoot Commercial Tire Systems, LLC. in the amount of \$636,379, Wade International Corporation in the amount of \$354,420, and Tire Centers, LLC. in the amount of \$308,762, lowest responsible bidders of five - Total not to exceed \$7,695,269 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1762

Item 10: Authorize a twelve-month master agreement for refuse trucks, transfer trucks, forklifts and air compressors - Metro Ford Truck Sales, Inc. in the amount of \$2,020,016, Rush Truck Center through Buyboard, a Texas Local Government Purchasing Cooperative in the amount of \$1,246,511, Equipment Southwest, Inc. in the amount of \$791,500, Southwest International Trucks, Inc. in the amount of \$312,998, Volvo Construction Equipment in the amount of \$207,381, B & C Body Co. in the amount of \$72,188 and Stewart and Stevenson in the amount of \$78,170, lowest responsible bidders of eleven - Total not to exceed \$4,728,764 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes (\$4,193,094), 2006 Equipment Acquisition Contractual Obligation Notes (\$352,083), Water Utilities Current Funds (\$183,587)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1763

Item 11: Authorize a twenty-four-month master agreement for energy efficient light bulbs and tubes for City facilities - Facility Solution Group, Inc. in the amount of \$295,366, Voss Electric Co. in the amount of \$202,202, Simba Industries in the amount of \$33,048, and Dallas Light Bulb Delivery in the amount of \$9,750, lowest responsible bidders of four - Total not to exceed \$540,366 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1764

Item 12: Authorize **(1)** renewal of a thirty-six-month license agreement for Microsoft software through the State of Texas Department of Information Resources - Software House International in the amount of \$3,684,522; and **(2)** renewal of a thirty-six-month Enterprise agreement for support of Microsoft licensing services through the State of Texas Department of Information Resources - Microsoft Corporation in the amount of \$180,197 - Total not to exceed \$3,864,719 - Financing: Current Funds (subject to annual appropriations)

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

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

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

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Natinsky abstain; Rasansky absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1765

Item 13: Authorize a thirty-six-month service contract for pre-employment background checks - Sterling Testing Systems, Inc., best value bidder of four - Not to exceed \$87,800 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1766

Item 14: Authorize settlement of a claim filed by Kelayia Hampton, Claim No. 06164739
- Not to exceed \$12,000 - Financing Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1767

Item 15: Authorize settlement of the lawsuit styled Barbara Wright McCoy v. City of Dallas, Cause No. 07-12140-B - Not to exceed \$20,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1768

Item 16: Authorize settlement of the lawsuit styled Dorothy Wherry et al. v. City of Dallas, Cause No. 06-18432-C - Not to exceed \$13,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1769

Item 17: Authorize settlement of the lawsuit styled Sarah Carp v. City of Dallas, Cause No. 07-04838-G - Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1770

Item 18: Authorize settlement of the lawsuit styled James Muise v. Dallas County, et al., Civil Action No. 3:07-CV-0476-O - Not to exceed \$10,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1771

Item 19: Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Office of Karen J. Tracy for additional legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1772

Item 20: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$60,000, from \$25,000 to \$85,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1773

Item 21: Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services necessary in connection with litigation and related matters involving Dallas Love Field and the Wright Amendment compromise - Not to exceed \$260,000, from \$1,675,000 to \$1,935,000 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1774

Item 22: Authorize an increase in the contract amount and execute a supplemental agreement, if needed, to make the final payment for a thirty-six-month Microsoft State and Local Government Enterprise Agreement through the Department of Information Resources, State of Texas, representative, Software House International, Inc., for computer software products including MS Office, MS Windows, etc., support services, compliance with licensing requirements, and support for additional desktop and server software - Not to exceed \$420,445, from \$4,156,179 to \$4,576,624 - Financing: Current Funds

Councilmember Natinsky requested that consent agenda item 22 be considered as an individual item. Mayor Leppert stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting, agenda item 22 was brought up for consideration.

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

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Natinsky abstain; Rasansky absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1775

Item 23: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Joel (Jody) V. King of approximately 126,850 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$56,528 (\$55,328 plus closing costs not to exceed \$1,200) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1776

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert S. Ainsworth and Janet D. Ainsworth of approximately 24,544 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$65,599 (\$64,399 plus closing costs not to exceed \$1,200) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1777

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John P. Dowell, Jr. of approximately 34,172 square feet of land improved with a single-family dwelling and workshop located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$299,157 (\$295,667 plus closing costs not to exceed \$3,490) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1778

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Richard C. Bennett and Carol Denise Bennett, of approximately 43,560 square feet of land improved with a single-family dwelling, workshop and storage building located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$303,437 (\$300,237 plus closing costs not to exceed \$3,200) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1779

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land containing a total of approximately 83,372 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - Not to exceed \$246,126 (\$242,026 plus closing costs not to exceed \$4,100) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1780

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from American Investors in Real Estate Online, Inc., of approximately 7,214 square feet of land improved with a single-family dwelling located near the intersection of Belknap Street and Southerland Avenue for Cedar Crest Golf Course Park - Not to exceed \$29,000 (\$27,500 plus closing costs not to exceed \$1,500) - Financing: Golf Improvement Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1781

Item 29: An ordinance amending Chapter 43 of the Dallas City Code to: **(1)** authorize approval of indented on-street parking based on certain criteria; **(2)** provide notice requirements; **(3)** establish application and appeal fees; and **(4)** provide an appeal process - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27227

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1782

Item 30: Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 05-3539 on December 14, 2005, to allow the creation of single-family PIDs and allow for exceptions of the policy under certain, limited conditions - Financing: No cost consideration to the City

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

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1783

Item 31: Authorize approval of By-Laws for Tax Increment Financing Zone Number Fifteen (Fort Worth Avenue TIF District) - 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 item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1784

Oak Cliff Gateway TIF District

Note: Item Nos. 32 and 33 must be considered collectively.

Item 32: Authorize **(1)** the City Manager to execute a development agreement with Bishop Colorado Retail Plaza, L.P., (the “Developer”) in an amount not to exceed \$350,000 payable from future Oak Cliff Gateway TIF funds and or TIF Bond Funds in consideration of Bishop Colorado Retail Plaza, L.P developing the 1222 North Bishop Avenue property in accordance with the Oak Cliff Gateway TIF Project Plan and the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District; and **(2)** the Oak Cliff Gateway TIF District Board of Directors to dedicate up to \$350,000, payable from Oak Cliff Gateway TIF revenues and or TIF Bond Funds in accordance with the development agreement - \$350,000 - Financing: To be funded solely from the Oak Cliff Gateway TIF District Funds and or TIF Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

Oak Cliff Gateway TIF District

Note: Item Nos. 32 and 33 must be considered collectively.

08-1785

Item 33: A resolution declaring the intent of the Oak Cliff Gateway TIF District to reimburse Bishop Colorado Retail Plaza, L.P., for eligible expenditures pursuant to the development agreement with Bishop Colorado Retail Plaza, L.P. in an amount not to exceed \$350,000, payable for certain TIF-eligible project costs related to the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1786

Item 34: Authorize a seven-year lease agreement with S&S Shopping Centers, Ltd. for approximately 6,000 square feet of office space located at 9009 Bruton Road, Suite 441, to be used as a Women, Infants and Children Clinic for the period September 1, 2008 through August 31, 2015 - Not to exceed \$619,500 - 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 25, 2008

08-1787

Item 35: Authorize an amendment to the lease agreement with Jefferson Tower, L.P., whom conveyed its property to SourceOne Capital, L.P. by deed dated June 9, 2006, to extend the term of the lease for six additional months at the leased facility located at 351 West Jefferson Boulevard, Suite 300, to be used as a Women, Infants and Children Clinic for the period July 1, 2008 through December 31, 2008 - Not to exceed \$45,493 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1788

Item 36: Authorize an amendment to the lease agreement with Ridgewood VSC Garland, LP., formerly Garland Development Group, L.P., for an additional seven years, to include an additional area of approximately 2,400 square feet of space and improvements for a total of approximately 5,354 square feet of office space in the Ridgewood Village Shopping Center located at 3050 South First Street, Suite 207, Garland, Texas, to be used as a Women, Infants and Children Clinic and office for the period September 1, 2008 through December 31, 2015 - Not to exceed \$600,336 - 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 25, 2008

08-1789

Item 37: Authorize an amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2007 through September 30, 2008 - Not to exceed \$514,823, from \$11,116,800 to \$11,631,623 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1790

Item 38: Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to **(1)** accept additional grant funds to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas; and **(2)** extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed \$61,384, from \$90,433 to \$151,817 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1791

Item 39: Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to **(1)** accept additional grant funds to operate and maintain an ambient air monitoring station in Rockwall County; and **(2)** extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed \$19,640, from \$84,254 to \$103,894 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1792

Item 40: Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to **(1)** accept additional grant funds to operate and maintain whole air samplers and conduct air monitoring activities in Dallas; and **(2)** extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed \$147,616, from \$622,000 to \$769,616 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1793

Item 41: Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to **(1)** accept additional grant funds to provide air pollution control services in the amount of \$530,421, from \$1,591,263 to \$2,121,684; **(2)** extend the term of the contract for the period September 1, 2008 through August 31, 2009; and **(3)** provide a local match in an amount not to exceed \$261,252, from \$783,756 to \$1,045,008 - Total not to exceed \$791,673, from \$1,591,263 to \$2,382,936 - Financing: Texas Commission on Environmental Quality Grant Funds (\$530,421) and Current Funds (\$261,252) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1794

Item 42: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$149,912 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2008 through November 30, 2009; **(2)** a local match in an amount not to exceed \$9,978; and **(3)** execution of the grant agreement - Total not to exceed \$159,890 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$149,912) and Current Funds (\$9,978) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1795

Item 43: Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$250,598 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2008 through September 30, 2009; **(2)** a local match in an amount not to exceed \$15,866; and **(3)** execution of the grant agreement - Total not to exceed \$266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$250,598) and Current Funds (\$15,866) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1796

Item 44: Authorize a contract for the installation of a fire and burglar alarm system at the Dallas Heritage Village located at 1515 South Harwood Street - Entech Sales and Service, Inc. - \$284,431 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1797

Item 45: Authorize a professional services contract with Campos Engineering, Inc., for the design of an alternate police and fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road - \$64,500 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1798

Item 46: Authorize a professional services contract with Jaster-Quintanilla Dallas, LLP to provide design and construction administration for repairs to the parking garage at the Jack Evans Police Headquarters located at 1000 Belleview Street - Not to exceed \$67,501 - Financing: 2006 Bond Funds

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Leppert stated that consent agenda item 46 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 46 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 Hill moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Rasansky abstain; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1799

Item 47: A resolution declaring 6 properties unwanted and unneeded and authorizing their conveyance by Deed without Warranty to Kaminski Holdings, Inc., for \$10 and provision of mixed-use development on the properties within 3 years of execution of the deed and conveyance of 2 properties to the City (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1800

Item 48: Authorize a loan in the amount of \$500,000 at 0% interest to Texas Heavenly Homes, Ltd., for the acquisition of improved and unimproved properties in the Bottom, an area bounded by I-35 to the west, Trinity River to the north, Corinth Street to the east and 8th Street to the south and for associated relocation, environmental remediation, or demolition costs to construct a portion of the residential development component of the Economic Development Project in the Bottom, as detailed in the Community-wide Master Plan for the area - Not to exceed \$500,000 - Financing: 2006 Bond Funds

Councilmember Rasansky requested that consent agenda item 48 be considered as an individual item. Mayor Leppert stated that consent agenda item 48 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 48 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1801

Item 49: Authorize **(1)** adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #4 to reprogram \$1,000,000 of the Downtown Mortgage Assistance Program to the Mortgage Assistance Program; and **(2)** a public hearing to be held on August 13, 2008 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1802

Item 50: Authorize a professional services contract with Building Community Workshop to provide the research, recommendation, design and preparation of construction documents for six single-family residential house plans and make these plans available for use by applicants who have been qualified to receive a Reconstruction/SHARE Program home - \$104,000 - Financing: 2007-08 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1803

Item 51: Authorize the receipt and deposit of funds from Byron A. Parker ("Executor") of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased for the benefit of the Oak Lawn Branch of the Dallas Public Library - \$174,392 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1804

Item 52: Authorize payment to the Dallas Black Dance Theatre for operations and maintenance costs for the city owned facility, in accordance with the terms of the Master Agreement, previously approved on December 14, 2005, by Resolution No. 05-3604 - Not to exceed \$93,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1805

Item 53: Authorize a resolution extending the City Council's decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment for the period July 22, 2008 through September 5, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1806

Item 54: Authorize approval of the issuance of bonds not to exceed \$20,000,000 by the Texas Regional Development Corporation for the benefit of TXI Aviation I, LLC dba Vitesse Aviation Services, a Texas limited liability (the "Borrower") whose sole member is Valtec Capital Corporation, a Nevada corporation - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1807

Item 55: Authorize **(1)** adoption of the final FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$33,124,448 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$19,321,137; **(b)** HOME Investment Partnerships Program in the amount of \$7,925,416; **(c)** American Dream Down-Payment Initiative in the amount of \$72,460; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$3,332,000; and **(e)** Emergency Shelter Grant in the amount of \$772,437; and **(2)** adoption of the final FY 2007-08 Reprogramming Budget in the amount of \$1,700,998 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1808

Item 56: Authorize the Big Lake Education Finance Corporation (the "Corporation") to finance, in an aggregate principal amount not to exceed \$10,000,000, for the benefit of The St. Alcuin Montessori School (the "School"), a portion of the costs of constructing, improving and equipping certain educational facilities at the School's campus located at 6144 Churchill Way, Dallas, Texas 75230, including (1) a new school building for middle school students and upper elementary students, including related soccer and parking facilities; and (2) a new school building to house a library, a gymnasium and a community center (the "Project") - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1809

Item 57: Authorize a twelve-month Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period of August 1, 2008 through August 31, 2009 - Not to exceed \$264,137 - Financing: Current Funds (\$210,708) (subject to appropriations) and 2008-09 Community Development Grant Funds (\$53,429)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1810

Item 58: Authorize a professional services contract with Brinkley Sargent Architects for an Indoor and Outdoor Recreation Master Plan for base mapping, collection of data on leagues, athletic associations and recreation programs, interviews with key entities and stakeholders, trends analysis, staff workshops, public meetings, demographic analysis, development of programming strategies, recreation program analysis, partnership analysis, analysis of programming and operational issues, and a final report - \$477,500 - Financing: 2006 Bond Funds

Councilmember Rasansky requested that consent agenda item 58 be considered as an individual item. Mayor Leppert stated that consent agenda item 58 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 58 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1811

Item 59: Authorize an increase in the contract with Reeves Construction Services, Inc. for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane - \$95,052, from \$457,570 to \$552,622 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 59 be considered as an individual item. Mayor Leppert stated that consent agenda item 59 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 59 was brought up for consideration.

Councilmember Koop moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1812

Item 60: Authorize a public hearing to be held on August 13, 2008 to receive comments on the proposed use of a portion of the Lower White Rock Creek Greenbelt by Dallas Area Rapid Transit for a tie-back easement to allow for the installation of an underground Soil Nail Wall System to support the Southeast Corridor Light Rail Transit Line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1813

Item 61: Authorize a public hearing to be held on August 13, 2008 to receive comments on the use of subsurface parkland for natural gas drilling and mineral production at Arcadia Park, Arlington Park, Bachman Lake Park, Brownwood Park, California Crossing Park, Cedar Ridge Preserve, City Paupers Cemetery, Crown Park, Elm Fork Greenbelt, Emerald Lake Park, Emma Carter Park, Escarpment Greenbelt, Fox Haven Park, Fox Hollow Park, Grauwlyer Park, L.B. Houston Park, Marcus Park, Mountain Creek Lake Park, Mountain Valley Park, Overlake Park, Pegasus Park, Sleepy Hollow Park, and Trinity Park - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 61 be considered as an individual item. Mayor Leppert stated that consent agenda item 61 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 61 was brought up for consideration.

Councilmember Salazar moved to approve the item and move the public hearing to the August 20, 2008 briefing agenda meeting of the city council.

Motion seconded by Councilmember Medrano and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1814

Item 62: Authorize a Memorandum of Understanding with the Dallas Independent School District to set out the policies and procedures for providing School Crossing Guard Service for the 2007-08 school year - Revenue: \$33,201

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1815

Item 63: Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation; and **(2)** an additional payment to the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Park Lane from Boedeker Drive to Greenville Avenue - \$748,055 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1816

Item 64: Authorize payment to the North Central Texas Council of Governments for the City's participation in the FY 07-08 Regional Public Works Program - Not to exceed \$40,955 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1817

Item 65: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area, Regional Detention - \$1,706,515 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1818

Item 66: Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue - \$135,431 - Financing: 2003 Bond Funds (\$13,786) and 2006 Bond Funds (\$121,645)

Councilmember Rasansky requested that consent agenda item 66 be considered as an individual item. Mayor Leppert stated that consent agenda item 66 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 66 was brought up for consideration.

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

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1819

Item 67: Authorize a contract for the construction of street paving, drainage and water main improvements for Street Group 03-447 (list attached) - Jeske Construction Company, lowest responsible bidder of five - \$1,022,005 - Financing: 2003 Bond Funds (\$320,364), 2006 Bond Funds (\$520,576) and Water Utilities Capital Construction Funds (\$181,065)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1820

Item 68: Authorize an **(1)** increase in the contract with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system; and **(2)** extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road - Not to exceed \$175,478, from \$4,254,384 to \$4,429,862 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1821

Item 69: Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market - Not to exceed \$180,771, from \$2,460,365 to \$2,641,136 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1822

Item 70: Authorize an **(1)** increase in the contract with ICE Contractors, Inc. to provide additional asbestos abatement and removal services at City-owned buildings and various structures ordered demolished by Municipal Court in the amount of \$250,000, from \$3,193,125 to \$3,443,125; and **(2)** increase in appropriations in the amount of \$23,000 in the Demolition Reserve Fund - Not to exceed \$250,000 - Financing: Demolition Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1823

Item 71: Authorize an **(1)** increase in the contract with Satterfield & Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street in the amount of \$235,180, from \$17,099,683 to \$17,334,863; **(2)** extension of the substantial completion date to May 20, 2008; and **(3)** increase in appropriations in the amount of \$250,000 in the Homeless Assistance Facilities Fund - Not to exceed \$235,180 - Financing: 2005 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1824

Item 72: Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for measuring, testing and adjusting of the mechanical system test and balance contract, Phase 2, for the Homeless Assistance Center - Not to exceed \$34,100, from \$24,600 to \$58,700 - Financing: 2005 Bond Funds

Councilmember Rasansky requested that consent agenda item 72 be considered as an individual item. Mayor Leppert stated that consent agenda item 72 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 72 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1825

Item 73: Authorize Supplemental Agreement No. 1 to the contract with Michael Baker Jr., Inc., to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I - \$53,983, from \$68,858 to \$122,841 - Financing: 2006-2007 Community Development Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1826

Item 74: Authorize Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide final design of paving, drainage, bridge replacement improvements, and preparation of construction plans for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - \$3,497,207, from \$1,521,128 to \$5,018,335 - Financing: 2003 Bond Funds

Councilmember Neumann requested that consent agenda item 74 be considered as an individual item. Mayor Leppert stated that consent agenda item 74 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 74 was brought up for consideration.

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1827

Item 75: Authorize a public hearing to be held on August 13, 2008 to receive comments regarding an application to close Whitehaven Drive at the alley south of Lake Gardens Drive under provisions of the City's Residential Street Closure Policy - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1828

Item 76: Authorize an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park - Not to exceed \$35,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1829

Item 77: Authorize the application for and acceptance of a loan from the Texas Water Development Board in an amount up to \$94,775,000 for financial assistance in the construction of the East Side Water Treatment Plant 540 million gallons per day clearwell expansion and yard piping improvements, a project in a multi-phased planned plant and conveyance system expansion project, to implement Dallas' recommended strategies in the State Water Plan and also addresses regulatory requirements for adequate clearwell storage for the East Side Water Treatment Plant - Financing: Water Utilities Current Funds (approximately \$6,000,000 annually for 20 years) (subject to annual appropriations)

Councilmember Neumann and Councilmember Rasansky requested that consent agenda item 77 be considered as an individual item. Mayor Leppert stated that consent agenda item 77 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 77 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1830

Item 78: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam and design of the Forney Dam and Lake Ray Hubbard improvements - \$550,388 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1831

Item 79: Authorize a professional services contract with Kellogg Brown & Root Services, Inc. to provide engineering services for the inspection of the Dallas Water Utilities hydraulic structures as required by the National Dam Safety Act - \$997,709 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1832

Item 80: Authorize a contract for the construction of sidestream treatment improvements at the Southside Wastewater Treatment Plant - Gracon Construction, Inc., lowest responsible bidder of two - \$10,588,450 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1833

Item 81: Authorize a contract for the installation of water and wastewater mains at 32 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of four - \$6,202,434 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1834

Item 82: Authorize a contract for the installation of water and wastewater mains at 39 locations (list attached) - SYB Construction Co., Inc., lowest responsible bidder of four - \$7,089,140 - Financing: Water Utilities Capital Improvement Funds (\$7,086,307), 2003 Bond Funds (\$2,833)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1835

Item 83: Authorize a contract for the installation of water and wastewater mains at 40 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of five - \$7,556,453 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1836

Item 84: Authorize an increase in the contract with Bauman Instrument Corporation for additional work associated with the Elm Fork Water Treatment Plant Supervisory Control and Data Acquisition system upgrade and plant improvements - \$37,915, from \$2,090,000 to \$2,127,915 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1837

Item 85: Authorize Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering design services for odor control improvements at the Southside Wastewater Treatment Plant - \$1,454,170, from \$917,628 to \$2,371,798 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1838

Item 86: Authorize Supplemental Agreement No. 1 to the professional services contract with Westin Engineering, Inc. for development of Supervisory Control and Data Acquisition system performance specifications, development of Supervisory Control and Data Acquisition system communications network architecture, and construction services for upgrade of the White Rock Operations Control Center - \$771,388, from \$299,379 to \$1,070,767 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1839

08-1840

Item 87: 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 June 25, 2008.

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

Councilmember Rasansky moved to appoint Gigi Steiner, Citizen-at-large to the Judicial Nominating Commission; Robert Agnich, to the Reinvestment Zone Four Board (Cedars Area); Myron Mims, to the Reinvestment Zone Eleven Board (Downtown Connection); and Enrique A. MacGregor, to the Reinvestment Zone Sixteen Board (Davis Garden).

Motion seconded by Councilmember Koop and unanimously adopted. (Davis absent on city business)

Councilmember Rasansky moved to appoint Ron Chapman, Chair, to the Civil Service Board, Christie Hernandez, Chair, to the Reinvestment Zone Four (Cedars Area), Myron Mims, Chair, to the Reinvestment Zone Eleven (Downtown Connection) and Sharon Boyd, Vice-Chair, to the Board of Adjustment.

Motion seconded by Councilmember Koop and unanimously adopted. (Davis absent on city business)

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 Councilmember Koop and unanimously adopted. (Davis absent on city business)

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

08-5177 ARC AUTOMATED RED LIGHT ENFORCEMENT COMMISSION
08-5178 CSB CIVIL SERVICE BOARD
08-5179 JNC JUDICIAL NOMINATING COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1841

Item 88: Consideration and appointment of members to the Dallas Area Rapid Transit (DART) Board of Directors for Place 1, 2 and 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Councilmember Koop moved to reappoint the following individuals to the Dallas Area Rapid Transit (DART) Board of Directors, with the terms to expire July 1, 2010:

- Place 01 - Robert Strauss
- Place 02 - Angel Reyes
- Place 09 - Lafayette "Faye" Wilkins

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1842

Item 89: Consideration and appointment of a member to the Dallas/Fort Worth International Airport Board of Directors for Place 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Deputy Mayor Pro Tem Caraway moved to appoint the following individual to the Dallas/Fort Worth International Airport Board, with the terms to expire January 31, 2010:

- Place 09 - Bernice J. Washington

Motion seconded by Councilmember Hill and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1843

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

Agenda items 90 and 94 were removed from the consent zoning docket, to be considered as individual hearings.

- ~~Agenda item 90: Zoning Case Z078-175(OTH) [considered individually]~~
- Agenda item 91: Zoning Case Z078-183 (WE)
- Agenda item 92: Zoning Case Z078-187 (MAW)
- Agenda item 93: Zoning Case Z078-208 (WE)
- ~~Agenda item 94: Zoning Case Z078-209 (MAW) [considered individually]~~
- Agenda item 95: Zoning Case Z078-211 (MAW)

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

The following individual addressed the city council regarding items 91, 92, 93 and 95:

William Hopkins, 2011 Leath St.

Councilmember Kadane 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. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1844

Item 90: Zoning Case Z078-175(OTH)

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

A public hearing was called on zoning case Z078-175(OTH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1342 for a Community Service Center and a Child-care facility on property zoned an R-7.5(A) Single Family District, at the northeast corner of Bonnie View Road and Southerland Avenue

(The staff recommended approval, subject to a site plan and conditions and city plan commission recommended approval for a five-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.

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

Motion seconded by Councilmember Salazar and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NO. 27228

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1845

Item 91: Zoning Case Z078-183 (WE)

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

A public hearing was called on zoning case Z078-183 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 640 for an open enrollment charter school, private school and other non-residential uses on properties on all four corners at the intersection of Annex Avenue and Bryan Street

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

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

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27229

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1846

Item 92: Zoning Case Z078-187 (MAW)

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

A public hearing was called on zoning case Z078-187 (MAW), an application for and an ordinance granting an amendment to Planned Development District No. 752 for R-10(A) Single Family Residential District and public school uses on the southwest corner of Edd Road and Garden Grove Drive

(The staff and 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.

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27230

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1847

Item 93: Zoning Case Z078-208 (WE)

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

A public hearing was called on zoning case Z078-208 (WE), an application for and an ordinance granting a Planned Development District for CR Community Retail District uses and an ordinance granting a Specific Use Permit for a community service center on property zoned an IR Industrial Research District and a CR Community Retail District on the east line of Cedar Springs Road, north of Inwood Road

(The staff and city plan commission recommended approval, of a Planned Development District for CR Community Retail District uses, subject to a conceptual plan and conditions and approval of a Specific Use Permit for a community service center for a ten-year period with eligibility for automatic renewals for additional ten-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.

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 27231 AND 27232

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1848

Item 94: Zoning Case Z078-209 (MAW)

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

Councilmember Hunt requested that zoning consent item 94 be considered as an individual item. Mayor Leppert stated that zoning consent item 94 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 Z078-209 (MAW), an application for and an ordinance granting an amendment to the conditions, development plan and landscape plan for Planned Development Subdistrict No. 37 within Planned Development District 193, the Oak Lawn Special Purpose District, on the west side of Hall Street, north of Sale Street

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

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 Hunt moved to close the public hearing with the following amendments:

- 1) "Change Subsection S-37.110 (e) to only require that mechanical equipment groups with two or more components located on roof areas must be screened from the view of surrounding properties that look down onto structures within this district.
- 2) For an assisted living facility, off-street parking must be provided at a ratio of .30 spaces per dwelling unit or suite.
- 3) For an assisted living facility and an independent living facility, a minimum of 133 off-street parking spaces must be provided on the property."

and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NO. 27233

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1849

Item 95: Zoning Case Z078-211(MAW)

The consent zoning docket, consisting of agenda items 90-95, was presented for consideration.

A public hearing was called on zoning case Z078-211 (MAW), an application for and an ordinance granting a Planned Development District for D(A) Duplex District uses and public library uses and an ordinance terminating Specific Use Permit No. 72 for a Community Recreation Center on property zoned an D(A) Duplex District on the west side of Lockwood Boulevard, north of Lake Gardens Drive

(The staff and city plan commission recommended approval subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 72)

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

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 27234 AND 27235

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1850

Item 96: Zoning Case Z078-119 (RB)

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 Z078-119 (RB), an application for a Planned Development District for Retirement housing, Single family, and Office uses on property zoned an R-7.5(A) Single Family District and an NO(A) Neighborhood Office District on the southwest corner of Skillman Street and Church Road and termination of existing deed restrictions that encumber the southern portion of the site

(The staff recommended approval, subject to a conceptual plan and staff's recommended conditions, and approval of the termination of existing deed restrictions and city plan commission recommended Denial of a Planned Development District, and denial of the termination of existing deed restrictions on the portion of the request zoned an NO(A) District)

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

William Cothrum, representing the applicant
Jonathan Perlman, 7475 Skillman
Paul Chapel, 8814 LaCrosse
William Livingstone, 9310 Canter
Steve Harris, 9655 Hilldale Dr., representing Pebblecreek Homeowners Association
Rocky Berk, address not given

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

Dick Bartolomeo, 9535 Brentgate Dr., representing Lake Highland North Homeowners Association
Trey Randal, 7203 Crofton Dr., President Merriman Park North Homeowners Association
Glee (Glenda) Huebner, 9041 Drumcliffe Lane, representing Highlands West Homeowners Association

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1850

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Appearing in favor of the city plan commission's recommendation to deny:
(Continued)

Tim Ahlen, 9150 Church Rd., representing Forest Meadow Baptist Church
Tom Harrison, 7623 Arborgate
Laurie Shulman, 9120 Dunmore Dr.
Larry Sears, 7601 Arborgate, representing Merriman Park North Homeowners
Association
Bill Blaydes, 9628 Dartridge Dr.

Mayor Leppert allowed the additional citizens to state their names and addresses in favor of
the city plan commission's recommendation to deny for the record:

Ray Huebner, 9041 Drumcliffe Lane
Thomas J. Hampton, 9021 Drumcliffe Lane
William Barstow, 9120 Dunmore Dr.
Tom Nowak, 9441 Brentgate
Vicki Ferrantello, 9124 Dunmore
David Cowart, 7702 Lemmonwood Dr.
Stephen Stolte, 9402 Spring Hollow Dr.
Betty W. Smith, 9113 Church Rd., representing Highland West Homeowners
Association
Robert E. Smith, 9113 Church Rd.
David Wentzel, 7607 Arborgate
Elaine Hetzen, 7210 Claybrook, representing Merriman Park North Homeowners
Association
Vicki Hitzgens, 9069 Gunnison Dr., representing Merriman Park North Homeowners
Association
Arlene Huntzicker, 7211 Claybrook Dr., representing Merriman Park North
Homeowners Association
John C. Knee, 9165 Dunmore Rd., representing Highland West Homeowners
Association
Brenda Knee, 9165 Dunmore Dr., representing Highland West Homeowners
Association
Lisa Curtis, 7709 Lemmonwood Dr., representing Highland West Homeowners
Association
William Rowell, 9129 Church Rd.
Carolyn Atkins, 9055 Maple Glen

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-1850

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Mayor Leppert allowed the additional citizens to state their names and addresses in favor of the city plan commission's recommendation to deny for the record: (Continued)

Jon Huntzicker, 7211 Claybrook Dr., representing Merriman Park North Homeowners Association

Jean Gould, 9655 Cove Meadow, representing Lake Highland North Homeowners Association

John Gould, 9655 Cove Meadow, representing Lake Highland North Homeowners Association

Kelly Huebner, 7718 Lemmonwood

Barbara Reese, 8318 South Meadow Cr.

Jeff Huebner, 7718 Lemmonwood, representing Highland West Homeowners Association

Julie Pedrolie, 9017 Church Rd.

Angela Klein, 9046 Gunnison Dr., representing Merriman Park North Homeowners Association

Cindy Thornton, 9140 Cork Lane

Linda Russell, 9016 Maguires Bridge, Highland West Homeowners Association

Gloria Rowell, 9129 Church Rd.

Carolyn Brunkenhoefer, 9077 Fairglen Dr., representing Merriman Park North Homeowners Association

Ken Brunkenhoefer, 9077 Fairglen Dr.

William Russell, 9016 Maguires

Judy Roberts, 9561 Dartridge, representing Lake Highland North Homeowners Association

Gordon Hunter, 7620 Tory Sound

Phillip Richardson, 9146 Cork Lane

Adrienne McMullen, 7206 Claybrook

C. W. Beard, 9121 Church Rd.

Gloria Gibeau, 9608 Summerhill Lane, representing White Rock North Homeowners Association

Winston Evans, 9473 Dartridge Dr.

Criss Stone, 9565 Dartridge Dr.

George Stone, 9565 Dartridge Dr.

Elaine Sandilands, 9056 Maguires Bridge, representing Highland West Homeowners Association

Cindy Hess, 8907 Gunnison

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08-1850

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Mayor Leppert allowed the additional citizens to state their names and addresses in favor of the city plan commission's recommendation to deny for the record: (Continued)

John Mogk, 7611 Arborgate St.

Jane D. Howell, 9336 Shoreview Rd., representing White Rock North Homeowners Association

Carolyn Heldenbrand, 9027 Gunnison Dr.

Amy Heldenbrand, 9027 Gunnison

Darwin Payne, 9021 Gunnison

Sophie Trahan, 7219 Claybrook Dr., representing Merriman Park North Homeowners Association

Matt Kersting, 9136 Cork Lane

Vickie Kersting, 9136 Cork Lane

Peggy Marshall, 8912 Maple Glen Dr., representing Merriman Park North Homeowners Association

Debbie Werner, 8821 Kenton Dr., representing Merriman Park North Homeowners Association

William Vernon, 7618 Arborgate, representing Highland West Homeowners Association

Eve Finn, 7222 Claybrook, representing Merriman Park North Homeowners Association

Bill Finn, 7222 Claybrook, representing Merriman Park North Homeowners Association

John Menia, 9607 Hilldale Dr., representing Pebble Creek and Highland West Homeowners Association

William Menia, 9060 Maguires Bridge Dr.

Mary Ann Martin, 9126 Cork Lane, representing Highland West Homeowners Association

Diana French, 9040 Drumcliffe Lane, representing Highland West Homeowners Association

Lynell Smith, 9117 Church Rd., representing Highland West Homeowners Association

Lynn McClendon, 9030 Dunmore Dr., representing Highland West Homeowners Association

Virginia Menia, 9034 Church Rd.

Joyce Buchanan, 9110 Dunmore Dr. representing Highland West Homeowners Association

Julie Blettner, 9029 Fairglen Dr., representing Merriman Park North Homeowners Association

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08-1850

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Mayor Leppert allowed the additional citizens to state their names and addresses in favor of the city plan commission's recommendation to deny for the record: (Continued)

Martha Judkins, 7216 Winedale Dr., representing Merriman Park North Homeowners Association

Mary C. Abell, 9044 Church Rd., representing Merriman Park North Homeowners Association

James S. Abell Sr., 9044 Church Rd., representing Merriman Park North Homeowners Association

Russell Whitmire, 9054 Fairglen

Mitzi Walsh, 8911 Gunnison

William Sandiland, 9056 Maguires Dr.

Don Lee, 9038 Maple Glen

David Smith, 9117 Church Rd.

Ralph McDowell, 9603 Estate Lane, representing Lake Highland North Homeowners Association

Jim Robert, 9561 Dartridge Dr., representing Lake Highland North Homeowners Association

Steve Russell, 9046 Maguires Dr., representing Highland West Homeowners Association

Leslie Allen Davis, 3035 E. Ledbetter Dr.

Councilmember Allen moved to close the public hearing, accept the recommendation of the staff to approve with one exception that tract 3 be restricted to R-7.5 usage only, subject to a conceptual plan and staff's recommended conditions, and approval of the termination of existing deed restrictions and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted. (Medrano absent when vote taken; Davis absent on city business)

Assigned ORDINANCE NO. 27236

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1851

Item 97: Zoning Case Z078-131 (JH)

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 commission 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 to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1852

Item 98: Zoning Case Z078-192 (MAW) 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 Z078-192 (MAW), an application for and an ordinance granting a renewal to Specific Use Permit No. 1525 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned CR-MD-1 Community Retail District with a Modified Delta Overlay on the northeast corner of Greenville Avenue and Lewis Street

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

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

Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

For the record, Councilmember Hunt announced that Kris Tripp Conner, representing Lucky's Roadhouse, was present to speak in favor of the city plan commission's recommendation, but unable to remain and speak on the item.

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

Motion seconded by Councilmember Koop and unanimously adopted. (Hill absent when vote taken; Davis absent on city business)

Assigned ORDINANCE NO. 27237

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1853

Item 99: Zoning Case Z078-200 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-200 (JH), an application for and an ordinance granting a Tract III-b Subdistrict within Planned Development District No. 87/H-15 on property zoned a Tract III Subdistrict within Planned Development District No. 87/H-15, the Winnetka Heights Planned Development District with a Historic Overlay, on the southwest corner of Davis Street and Winnetka Avenue

(The staff and city plan commission recommended approval)

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

Councilmember Neumann moved to continue the public hearing and hold under advisement until the August 13, 2008 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1854

Item 100: Zoning Case Z078-204 (WE) INDIVIDUAL

A public hearing was called on zoning case Z078-204 (WE), an application for and an ordinance granting an IM Industrial Manufacturing District, a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned a CS Commercial Service District and a CS-D Commercial Service District with a Dry Liquor Control Overlay on the east side of Central Expressway, north of Linfield Road

(The staff recommended approval of an IM Industrial Manufacturing District, with retention of the Dry Liquor Control Overlay on a portion of the site, subject to deed restrictions volunteered by the applicant and approval of a Specific Use Permit for a five-year period, subject to a site plan and conditions and city plan commission recommended approval of an IM Industrial Manufacturing District, with retention of the Dry Liquor Control Overlay on a portion of the site, subject to deed restrictions volunteered by the applicant and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions)

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

Leslie Allen Davis, 3035 E. Ledbetter

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

Deputy Mayor Pro Tem Caraway moved to close the public hearing, accept the recommendation of staff for approval of a Specific Use Permit for a five-year period and pass the ordinance.

Motion seconded by Councilmember Hill and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NO. 27238 AND 27239

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1855

Item 101: Zoning Case Z078-222 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-222 (JH), an application for and an ordinance granting an amendment to amend Planned Development District No. 254 and an ordinance granting the termination of terminate Specific Use Permit No. 838 on the northwest corner of Frankford Road and Gibbons Drive

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

Corrected on the addendum to the agenda.

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

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

Motion seconded by Councilmember Allen and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NOS. 27240 AND 27241

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1856

Item 102: Zoning Case Z078-223 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-223 (JH), an application for and an ordinance granting a Specific Use Permit for a community service center use on property zoned an R-5(A) Single Family Subdistrict and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the east side of Hatcher Street, south of Beulah Place

(The staff and city plan commission recommended approval, for a permanent time subject to a site plan and conditions)

Corrected on the addendum to the agenda.

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

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Salazar absent when vote taken; Davis absent on city business)

Assigned ORDINANCE NO. 27242

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1857

Item 103: Zoning Case Z067-148 (DW) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z067-148 (DW), 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 public hearings on May 28 and June 11, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.

Councilmember Neumann moved to continue the public hearing and hold under advisement until the August 27, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1858

Item 104: 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 subject 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 May 28, 2008 was taken under advisement until June 25, 2008, with the public hearing open.

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

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NO. 27243

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1859

Item 105: 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 city plan commission recommended approval, subject to a conceptual plan and conditions)

Note: This item was considered by the City Council at public hearings on March 26 and May 28, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.

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

Leslie Allen Davis, 3035 E. Ledbetter

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

Councilmember Rasansky moved to continue the public hearing and hold under advisement until the August 27, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Koop and unanimously adopted. (Leppert, Caraway, Hill, Salazar absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1860

Item 106: SPECIAL PROVISION SIGN DISTRICT- 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 to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District, to create a new Subdistrict to allow for video board signs on a tract of land generally between Main Street and Elm Street west of Akard Street

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

Note: This item was considered by the City Council at public hearings on November 28, 2007, February 27 and March 26, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.

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

William Cothrum, representing the applicant

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

Councilmember Rasansky moved to continue the public hearing and hold under advisement until the September 10, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Neumann and unanimously adopted. (Leppert, Caraway, Hill, Salazar absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1861

Item 107: A public hearing to receive comments regarding consideration of amendments to Section 51A-7.305 of the Dallas Development Code, to amend the provisions for attached signs in business areas to allow for certain signs to project more than 18 inches from a building façade and extend greater than four feet above a roof line and an ordinance granting the amendments

(The staff and city plan commission recommended approval)

The following individual addressed the city council regarding the item:

Leslie Allen Davis, 3035 E. Ledbetter

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

Motion seconded by Councilmember Hill and unanimously adopted. (Leppert, Salazar absent when vote taken; Davis absent on city business)

Assigned ORDINANCE NO. 27244

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1862

Item 108: A public hearing to receive comments regarding the application for and approval of a fill permit and removal of the floodplain (FP) prefix from 24.17 acres of a 69.94 acre tract of land, currently zoned planned development (PD-26786), located at 7218, 7210, 7160 and 7070 Skillman Street, currently in the floodplain of Jackson Branch, Fill Permit 07-05 - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Neumann and unanimously adopted. (Salazar, Rasansky absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1863

Item 109: 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 Homer J. Rader, Jr. located near the intersection of Preston Road and Forest Lane and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Bibbentuckers, LLC, 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:

David Whitten, representing the applicant
Marsha Foster, 6025 Meadow Crest Dr.

Councilmember Rasansky moved to close the public hearing, accept the recommendation of the staff and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted. (Davis absent on city business)

(Note: Nick Andreani, professional engineer, was present but did not speak before the council.)

Assigned ORDINANCE NO. 27245

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1864

Item 110: 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 3643 Northwest Hwy., LP, Metro Pacific Equities, Inc., Red Bird/I-20 Corp., Northwest/Webb Chapel Properties, LP, Bachman Lake Village, Inc., Maylar Properties, Inc., and Maylar, L.P., located near the intersection of Webb Chapel Road and Northwest Highway and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to 3643 Northwest Hwy., LP, Metro Pacific Equities, Inc., Red Bird/I-20 Corp., Northwest/Webb Chapel Properties, LP, Bachman Lake Village, Inc., and Maylar Properties, Inc., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The City Secretary read the following statement into the record:

"Pursuant to Section 51A-6.108 (g) (3) of the Dallas Development Code, the applicant or 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:

Nick Andreani, professional engineer
Leslie Allen Davis, 3035 E. Ledbetter

Councilmember Allen moved to close the public hearing, and accept the recommendation of the staff and pass the ordinance.

Motion seconded by Councilmember Atkins and unanimously adopted. (Salazar absent when vote taken; Davis absent on city business)

Assigned ORDINANCE NO. 27246

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1865

Item 111: A public hearing to authorize a public hearing to determine proper zoning on property zoned a CR Community Retail District with Specific Use Permit No. 1222 for a Commercial Amusement (inside) use for a dance hall on the northeast side of Gaston Avenue, northwest of Grand Avenue / Garland Road - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Tye Underwood, 4336 Lemmon Ave. representing the applicant
Paul Rich, 3500 Oak Lawn, representing the applicant
Scott Clumpner, 7122 Coronado Ave., President of Gaston/Coronado Hill
Neighborhood Association
Henda Salmeron, 6748 Avalon, President of Lakewood Homeowners Association
Art Anderson, 5400 Renaissance Tower, representing the applicant

Councilmember Hunt moved to close the public hearing.

Motion seconded by Councilmember Kadane.

Later in the meeting, Councilmember Rasansky moved to substitute Councilmember Hunt's motion to continue the public hearing and hold under advisement until the August 27, 2008 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Garcia.

After discussion, Mayor Leppert called the vote on Councilmember Rasansky's substitute motion to continue the public hearing and hold under advisement until the August 27, 2008 voting agenda meeting of the city council.

Voting Yes: [4] Garcia, Medrano, Salazar, Rasansky

Voting No: [10] Leppert, Caraway, Neumann, Hill, Atkins, Kadane, Allen, Koop,
Natinsky, Hunt

Absent: [1] Davis

Mayor Leppert declared the substitute motion failed.

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08-1865
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Mayor Leppert called for the vote on Councilmember Hunt's original motion to close the public hearing.

Mayor Leppert declared the motion unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1866

Item 112: A public hearing to receive comments concerning 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 for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize **(1)** approval of a resolution creating the Lake Highlands Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Lake Highlands Improvement District Corporation, as the management entity for the Lake Highlands Public Improvement District - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill, Salazar absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1867

Item 113: A public hearing 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 at the closing of the hearing, authorize **(1)** approval of a resolution renewing the Vickery Meadow Public Improvement District for a period of seven years; **(2)** approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** a management contract with the Vickery Meadow Management Corporation, as the management entity for the Vickery Meadow Public Improvement District - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Rasansky moved to close the public hearing.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1868

**Ridge South Dallas I, LLC, Incentives,
Reinvestment Zone No. 71**

Note: Item Nos. 114 and 115
must be considered collectively.

Note: If Agenda Item Nos. 114 and 115 do not pass, Council will not consider Agenda Item Nos. 116 and 117.

Item 114: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 71, incorporating approximately ~~328~~ 259 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in southern Dallas for the purpose of granting economic development incentives to Ridge South Dallas I, LLC - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

No one addressed the city council regarding the item.

Councilmember Atkins moved to close the public hearing.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1869

**Ridge South Dallas I, LLC, Incentives,
Reinvestment Zone No. 71**

Note: Item Nos. 114 and 115
must be considered collectively.

Note: If Agenda Item Nos. 114 and 115 do not pass, Council will not consider Agenda Item Nos. 116 and 117.

Item 115: An ordinance designating approximately ~~328~~ 259 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in southern Dallas, for the purpose of granting economic development incentives to Ridge South Dallas I, LLC and establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

No one addressed the city council regarding the item.

Councilmember Atkins moved to pass the ordinance.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NO. 27247

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1870

**Ridge South Dallas I, LLC Tax Abatement
and Development Agreement**

Note: Item Nos. 116 and 117
must be considered collectively.

Note: If Agenda Item Nos. 114 and 115 do not pass, Council will not consider Agenda Item Nos. 116 and 117.

Item 116: Authorize a 75 percent real property tax abatement agreement for 10 years with Ridge South Dallas I, LLC located on approximately 259 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary - Revenue: First year revenue estimated at \$34,914; ten-year revenue estimated at \$1,539,000 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$4,600,000)

No one addressed the city council regarding the item.

Councilmember Atkins moved to close the public hearing.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1871

**Ridge South Dallas I, LLC Tax Abatement
and Development Agreement**

Note: Item Nos. 116 and 117
must be considered collectively.

Note: If Agenda Item Nos. 114 and 115 do not pass, Council will not consider Agenda
Item Nos. 116 and 117.

Item 117: Authorize a development agreement with Ridge South Dallas I, LLC for the
construction of certain public improvements including, but not limited to, road
and sewer improvements at property located north of Telephone Road and east
of the Lancaster/Dallas municipal boundary in south Dallas - Financing: No cost
consideration to the City

No one addressed the city council regarding the item.

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis absent on
city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1872

Addendum addition 1: Authorize Supplemental Agreement No. 2 to the professional services contract with Unison-Maximus for completing the rates and charges study and capital financial analysis for Dallas Love Field, Dallas Executive Airport and the Dallas Heliport - Not to exceed \$75,000, from \$264,600 to \$339,600
- Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1873

Addendum addition 2: Authorize a twelve-year lease agreement, plus two twelve-year renewal options, with The Jet Center of Dallas, LLC for approximately 25,133 square feet of land improved with an aircraft hangar, office/storage space and automobile parking at Dallas Executive Airport - Estimated Annual Revenue: \$21,953

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1874

Addendum addition 3: Authorize a twenty-year lease agreement, plus four five-year options, to extend the lease term, with Gulfstream Aerospace Services Corporation, containing approximately 14.20 acres of land improved with three hangars and aircraft ramp at Dallas Love Field - Estimated Annual Revenue: \$750,996

Councilmember Rasansky requested that addendum addition consent agenda 3 item 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 addition consent agenda item 3 was brought up for consideration.

Councilmember Natinsky moved to approve the item

Motion seconded by Deputy Mayor Pro Tem Caraway.

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." (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1875

Addendum addition 4: Authorize a resolution expressing intent to finance expenditures to be incurred for airport improvements at Dallas Love Field Airport - Financing: No cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1876

Addendum addition 5: Authorize **(1)** establishment of a local government corporation, the Love Field Airport Modernization Corporation (the “Corporation”), for the purpose of financing the Love Field Modernization Program (the “LFMP”), **(2)** approval of the Corporation’s articles of incorporation and bylaws, **(3)** appointment of the Corporation’s initial Board of Directors, **(4)** the City Manager to file the Corporation’s articles of incorporation with the Secretary of State, and **(5)** the Corporation to apply for and accept Federal Aviation Administration (“FAA”) Airport Improvement Program (“AIP”) grant funding and Passenger Facility Charges (“PFCs”) necessary for the completion of projects specifically related to the LFMP - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1877

Addendum addition 6: Adoption of the Terminal Area Redevelopment Program Study (TARPS) for Dallas Love Field (the "Airport") as the Master Plan for the Love Field Modernization Program (the "LFMP"); approval of concept Option C as the preferred option for the main terminal complex development in the LFMP; and approval of the Term Sheet between the City of Dallas (the "City") and Southwest Airlines Company ("Southwest") setting forth the terms of the Project Development Agreement for the LFMP - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition consent agenda 6 item 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 Koop moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1878

Addendum addition 7: Authorize **(1)** an increase in appropriations in the amount of \$48,706, from \$609,978 to \$658,684 in the Mayor's Back to School Fair Fund; and **(2)** the purchase of school supply packets for the Mayor's 2008 Back-to-School Fair to be held on August 4, 2008 - Education Products, Inc., lowest responsible bidder of two - Not to exceed \$86,665 - Financing: Mayor's Back to School Fair Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1879

Addendum addition 8: Authorize a thirty-six month service contract for temporary industrial labor - Tolman Building Maintenance, Inc., lowest responsible bidder of seven - Not to exceed \$5,996,500 - Financing: Current Funds (subject to annual appropriations)

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

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

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1880

Addendum addition 9: Authorize **(1)** the purchase and installation of a Performance Measurement Software in the amount of \$400,435, and **(2)** a twelve-month maintenance agreement in the amount of \$59,638 - Actuate Corporation through the U.S. General Services Administration, most advantageous proposer of two - Not to exceed \$460,073 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1881

Addendum addition 10: Authorize a service contract to provide and install audio and visual equipment for the Jack Evans Police Headquarters building - AudioFidelity Communication Corp., only proposer - Not to exceed \$514,968 - Financing: 2005-06 Urban Area Security Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1882

Addendum addition 11: Authorize the purchase of one street sweeper - Industrial Disposal Supply Company, Inc., lowest responsible bidder of two - Not to exceed \$62,920 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1883

Addendum addition 12: Authorize the City Manager to **(1)** implement the closing of Reunion Arena, and cease accepting bookings for events after June 30, 2008, **(2)** secure the facility in preparation for demolition, **(3)** develop a plan to finance the demolition of Reunion Arena, **(4)** ensure that the land under Reunion Arena not be considered surplus property at this time, and **(5)** develop a renovation and operation plan for the Dallas Convention Center - Financing: No cost consideration to the City

The City Secretary requested that addendum addition consent agenda item 12 be considered as an individual item to allow citizens to speak. 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 the City Secretary's request.

The following individuals addressed the city council regarding the item:

Demetra Wysinger, 226 Wilderness Trail, **Arlington, TX**, representing Teachie's MultiPie and Yah World Records
Raymond F. Compton, II, 3100 Main St.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky.

After discussion, Mayor Leppert called the vote on Councilmember Rasansky's motion:

Voting Yes: [14] Leppert, Garcia, Caraway, Neumann, Medrano, Hill, Salazar, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

Voting No: [0]

Absent when vote taken: [0]

Absent: [1] Davis

Mayor Leppert declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1884

Addendum addition 13: A resolution declaring the City's intent, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for payments to certain third parties related to the convention center headquarters hotel project, at such time as it issues obligations to finance the Project (the Project Debt) - Financing: No cost consideration to the City

Councilmember Hunt requested that addendum addition consent agenda 13 item 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 Hunt's request.

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

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 Natinsky moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Caraway.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Hunt voting "No." (Garcia, Rasansky abstain; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1885

Addendum addition 14: A resolution authorizing a 5-year lease with an option to purchase of approximately 23,670 square feet of unwanted and unneeded City-owned land improved with a former library located near the intersection of Hampton Road and Illinois Avenue from July 1, 2008 through June 30, 2013 to the Organization of Hispanic Contractors DBA Hispanic Contractors Association of Dallas Fort Worth, the only bidder - Annual Revenue: \$21,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1886

Addendum addition 15: Authorize an economic development grant agreement with NEC Lake June & Masters, L.P. related to the redevelopment of the Lake June Plaza shopping center located at Lake June Road and Masters Drive - Not to exceed \$1,500,000 - Financing: Public/Private Partnership Program Funds

Councilmember Neumann and Councilmember Rasansky requested that addendum addition consent agenda 15 item be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 15 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 addition consent agenda item 15 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted. (Koop absent when vote taken; Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1887

Addendum addition 16: Authorize certain amendments to Resolution No. 07-2360, Section 8, items A through F previously approved on August 22, 2007, authorizing the execution of a Development Agreement with the Dallas Independent School District to **(a)** revise the project construction start date from September 30, 2007 to July 10, 2008; **(b)** extend the project completion date from August 30, 2008 to June 30, 2009; **(c)** require the project to meet Dallas Independent School District's M/WBE policy and procedures for public improvements and facility space improvements for the North Dallas High School project located at 3120 North Haskell Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1888

Addendum addition 17: An ordinance adding Chapter 48B to the Dallas City Code to: **(1)** define terms; **(2)** provide requirements, procedures, and fees for the registration and inspection of vacant buildings in the central business district; **(3)** provide defenses; **(4)** provide for appeals from the denial or revocation of registration; and **(5)** provide requirements for signage, insurance, and vacant building plans - Revenue: First year revenue estimated at \$46,226 (based on a total of 35 vacant buildings, with a total square footage of 3,997,389 square feet, located in the CBD which are anticipated to be required to register in the City's Vacant Building Registration Program) - Estimated Annual Revenue: \$46,226

Councilmember Neumann requested that addendum addition consent agenda 17 item be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 17 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 17 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

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

Assigned ORDINANCE NO. 27248

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1889

Addendum addition 18: Authorize the City Manager to prepare definitive documents for capital investment in the University of North Texas (UNT) law school including: **(1)** provide for the joint use of the Municipal Building located at 106 South Harwood and the Courts Annex located at 2014 Main Street by the UNT for its law school and the City for public purposes, **(2)** \$14,000,000 from the 1998 Bond Program for renovations to the Municipal Building; and **(3)** the dedication of \$500,000 in City of Dallas Public/Private Partnership Funds in each of the next four years, beginning in FY 2007-08, for capital investment in the UNT law school - Financing: No cost consideration to the City

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

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1890

Addendum addition 19: Authorize a professional services contract with Conley Group, Inc. for the exterior renovation of the Old Municipal Building located at 106 South Harwood Street - \$1,026,800 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1891

Addendum addition 20: Authorize an Interlocal Agreement with Texas Woman's University to provide students the opportunity to participate in the professional sanitarian internship program for the period July 7, 2008 through August 15, 2008 to learn about food protection and assist the Food Protection and Education Division with an avenue for recruiting qualified sanitarians to the City - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1892

Addendum addition 21: An ordinance amending Chapter 16 of the Dallas Fire Code and Chapter 48B of the Dallas City Code, as amended, to provide consistency in code requirements for vacant buildings located in the Central Business District - Financing: No cost consideration to the City

The city secretary announced that at the time the consent agenda was considered and at the request of the City Manager that addendum addition 21 be deleted from the agenda. To delete items not received in accordance with Subsection 7.11 of the City Council Rules of Procedures requires a two-third vote.

Deleted by the City Manager.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1893

Addendum addition 22: Approval of the issuance of tax-exempt bonds by Housing Options, Inc., an agency created by the Dallas Housing Authority, for: (1) \$10,000,000 Housing Options, Inc. Senior Housing Revenue Bonds (Lakewest Senior Housing I, L.P. Project) to finance the new construction of 180 one-bedroom units for seniors, with 13 units designated for persons with disabilities for Village at Lakewest Apartments I, for Lakewest Senior Housing I, LP. to be constructed at the south side of Bickers Street at the intersection of Bickers Street and Greenleaf Street, and (2) \$10,000,000 Housing Options, Inc., Senior Housing Revenue Bonds (Lakewest Senior Housing II, L.P. Project) to finance the new construction of 180 one-bedroom units for seniors, with 13 units designated for persons with disabilities for Village at Lakewest Apartments II for Lakewest Senior Housing II, LP. to be constructed at the south side of Bickers Street approximately 200 feet east of the intersection of Bickers Street and Greenleaf Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1894

Addendum addition 23: Authorize **(1)** creation of an Assistant Director II position in the Housing Department for the management and coordination of the Housing and Mixed-use Development Team (HMDT) designated by the City Manager to identify, manage and coordinate housing and mixed-use development projects in Neighborhood Investment Program Areas, **(2)** application for and acceptance of a grant in the amount of \$250,000 from the Texas Real Estate Council Foundation (TRECFC) to fund the new Assistant Director II position, **(3)** execution of a two year \$250,000 grant agreement with TRECFC to fund the new Assistant Director position in the Housing Department, and **(4)** designation of a Demonstration Project area for the HMDT - Not to exceed \$25,000 - Financing: Texas Real Estate Council Foundation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1895

Addendum addition 24: Authorize a loan in the amount of \$500,000 at 0% interest to East Dallas Community Organization for the development of unimproved properties located at 5302 Bexar Street to construct a portion of the residential component of the economic development project on Bexar Street - Not to exceed \$500,000 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1896

Addendum addition 25: Authorize an amendment to Resolution Nos. 06-0963, previously approved on March 28, 2006 and 07-1595, previously approved on May 23, 2007 and 07-3008, previously approved on October 10, 2007, to extend the deadline from June 30, 2008 to July 31, 2008 for execution and closing the Residential Development Acquisition Loan Program acquisition loan for the partial acquisition and related soft costs in connection with the City Walk at Akard project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1897

Addendum addition 26: An ordinance amending Chapter 40B of the Dallas City Code to require regulated metal property to be paid for by check or debit card mailed to the seller, unless the seller holds a valid cash transaction card - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Garcia moved to pass the ordinance.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Davis absent on city business)

Assigned ORDINANCE NO. 27249

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1898

Addendum addition 27: Authorize a contract for construction of the replacement Pleasant Grove Branch Library to be located at 7310 Lake June Road - TMV LLC dba Triune, Inc., best value proposer of five - \$4,096,951 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1899

Addendum addition 28: Authorize **(1)** a contract for the construction of retaining walls, site grading, storm drainage, and wastewater main relocations for the Lake Highlands Town Center project, Phase 1, a seventy acre proposed mixed-use development located near the intersection of Walnut Hill Lane and Skillman Street with Walton Construction, Inc., lowest responsible bidder of three in the amount of \$9,782,947; and **(2)** assignment of the construction contract to PC LH Land Partners, L.P. - Not to exceed \$9,782,947 - Financing: Capital Projects Reimbursement Funds (\$4,795,273), 2006 Bond Funds (\$4,642,202) and Water Utilities Capital Construction Funds (\$345,472)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1900

Addendum addition 29: Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Woodall Rodgers cross street sidewalk and transportation infrastructure improvements from Akard Street to Pearl Street; **(2)** the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$450,000; and **(3)** an increase in appropriations in the amount of \$450,000 in the Capital Projects Reimbursement Fund - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1901

Addendum addition 30: Authorize **(1)** Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for paving and drainage improvements for the McKinney Avenue Trolley extension project in the amount of \$1,147,211, from \$1,600,983 to \$2,748,194; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$605,179 in the Capital Projects Reimbursement Fund; and **(3)** an increase in appropriations in the amount of \$605,179 in the Capital Projects Reimbursement Fund - Total not to exceed \$1,147,211 - Financing: 1995 Bond Funds (\$298,073), Capital Projects Reimbursement Funds (\$605,179) and Water Utilities Capital Construction Funds (\$243,959)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1902

Addendum addition 31: Authorize **(1)** Supplemental Agreement No. 2 to the professional services contract with CH2M Hill for geotechnical, surveying, utilities, and additional design services for the ongoing Trinity Lakes design for the Trinity River Corridor Project in the amount of \$1,455,820, from \$18,068,042 to \$19,523,861 and **(2)** reallocate \$145,432 from Range Design to Wallace Roberts Todd for park design - Not to exceed \$1,455,820 - Financing: 1998 Bond Funds

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

Councilmember Neumann moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1903

Addendum addition 32: An ordinance amending Chapter 12A of the Dallas City Code to allow TIF board members to acquire property within the reinvestment zones they represent, but prohibiting them from participating and voting in matters that directly affect their acquired or existing property in the reinvestment zones -
Financing: No cost consideration to the City

Mayor Pro Tem Garcia moved to refer the item to the Ethics Advisory Commission for review and recommendation to the city council.

Motion seconded by Deputy Mayor Pro Tem Caraway.

Councilmember Natinsky asked Mayor Pro Tem Garcia if she would accept a friendly amendment to her motion to refer the item to Economic Development Council Committee and the Ethics Advisory Commission for review and recommendation to the city council.

Mayor Pro Tem Garcia agreed to accept the friendly amendment made by Councilmember Natinsky to refer the item to Economic Development Council Committee and the Ethics Advisory Commission for review and recommendation to the city council.

Deputy Mayor Pro Tem Caraway, who seconded the motion, also accepted the friendly amendment to refer the item to Economic Development Council Committee and the Ethics Advisory Commission for review and recommendation to the city council.

After discussion, the Mayor called the vote on the motion.

Mayor Leppert declared the motion unanimously adopted. (Davis absent on City business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1904

Addendum addition 33: Authorize an amendment to Resolution No. 94-1459, approved April 13, 1994, designating the Mayor Pro Tem, the Deputy Mayor Pro Tem, and the Vice Chair of the City Council Transportation and Environment Committee to serve as first, second, and third alternates to the Mayor's Place 10 on the D-FW International Airport Board, in designated order, in the event the Mayor or ranking alternate is unavailable to attend a meeting of the Board - Financing: No cost consideration to the City

Councilmember Koop moved to approve the resolution.

Motion seconded by Councilmember Hill and unanimously adopted. (Davis absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1905

Addendum addition 34: A resolution amending Sections 2, 4, 6, 7, and 9 of the City Council Rules of Procedure to revise rules relating to city council attendance, city council quorums, powers of the mayor and council, agenda procedures, conduct of meetings, and speakers - Financing: No cost consideration to the City

The city secretary announced that Councilmembers Hill, Davis, Atkins and Hunt had deferred consideration of addendum addition item 34 in accordance with Subsection 7.11 of the City Council Rules of Procedures.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1906

Addendum addition 35: An ordinance amending Chapter 7 of the Dallas City Code to provide: **(1)** requirements relating to sterilization of dogs and cats; **(2)** requirements for intact animal permits; **(3)** limitations on the number of dogs and cats in dwelling units with no common walls; **(4)** restrictions and requirements relating to tethering and confinement of animals; **(5)** enhanced regulations relating to dangerous dogs; **(6)** restrictions on placement of poisonous substances accessible to domestic animals; **(7)** prohibitions on live animals as prizes, promotions, or novelties; and **(8)** various fees relating to animal regulation - Financing: No cost consideration to the City

Councilmember Rasansky moved to suspend Section 6.3 of the City Council Rules of Procedures to allow all citizens who signed up to speak no more than one minute on the item.

Motion seconded by Councilmember Hunt.

Councilmember Hill asked Councilmember Rasansky if he would accept a friendly amendment to his motion to allow all citizens who signed up to speak for 30 seconds on the item.

Councilmember Rasansky agreed to accept Councilmember Hill's friendly amendment to allow all citizens who signed up to speak for 30 seconds on the item.

Councilmember Hunt, who seconded the motion, also accepted Councilmember Hill's friendly amendment to allow all citizens who signed to speak for 30 seconds on the item.

No action taken on the friendly amendment.

Councilmember Natinsky recommended the limitations the Mayor put in place be followed and proceed with the citizens who signed up to speak and allow additional citizens to speak for 30 seconds on the item.

After discussion, Mayor Leppert requested Councilmember Rasansky to withdraw his motion and to allow citizens on both sides of the issue, in opposition and in favor of the ordinance, to speak for 15 minutes on the item and allow additional speakers to come and present their position in one sentence.

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Councilmember Rasansky withdrew his motion and agreed to Mayor Leppert's request to allow all citizens on both sides of the issue, in opposition and in favor of the ordinance, to speak for 15 minutes, but allow additional citizens to speak for 30 seconds on the item.

Councilmember Hunt, who seconded the motion, also withdrew her second to the motion and agreed to Mayor Leppert's request to allow all citizens on both sides of the issue, in opposition and in favor of the ordinance, to speak for 15 minutes on the item, but allow additional citizens to speak for 30 seconds on the item.

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

Patricia Van Winkle, 2529 Brookfield Ave.

Zandra Anderson, 7941 Katy Frwy., **Houston, TX**, representing Texas Kennel Club

Sherry Talton, 5331 Mercedes Ave.

Sandy Bell, 8201 Preston Rd.

Bolivia Powell, P. O. Box 670693

Michael Knight, 212 Brazos Lane, **Sunnyvale, TX**, representing Texas Kennel Club

Carl Trehus, 2058 Wedgewood, **Grapevine, TX**, representing Dallas Fort Worth Toy Dog Club

Cathi Gorman, 1910 Meadow Ranch Rd., **McKinney, TX**, representing National Animal Interest Alliance

Tracy Murdock, 1461 Summerhill Dr., **Carrollton, TX**

Jeff Pyatte, 9904 Van Dyke

J. K. Martin, 2402 W. 10th

Alyce Heinrich, 2201 Wolf St., representing Bichon Frise Club of Dallas

Richard Caldwell, 14644 County Rd. 746, **Lavon, TX**

Margaret Lindsey, 6109 N. Jim Miller Rd., representing North Texas Terrier Club

Marie Finnegan, 4071 Clover Lane

Ralph Canada, Jr., 2435 Brookforest Dr., **Roanoke, TX**

Stephanie Ayers, 7149 Bob O Link Dr.

Wendy McQuiston, 211 Mabry, **Red Oak, TX**, representing Purebred Dogs DFW Dachshund Club, DFW Dachshund Rescue

Rick Gonzales, 4283 S. Cresthaven

Joann Rebecca Barnes, 955 Pierce Rd., **Red Oak, TX**, representing Siberian Husky Club of Metropolitan of Dallas

Jennifer Johnson, 502 Woodhaven Blvd., **Duncanville, TX**

Kathryn Meyer, 11216 Quail Run

Lindsay Neill, 4422 Percy St., **Lancaster, TX**

Ken Cook, 1921 W. 11th, **Irving, TX**

Kate McKin, 13250 Emily Rd.

Terri Clary, 358 Pecan Tree, **Waxahachie, TX**

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

Lori Holcomb, address not given, **Duncanville, TX**
Judy Cerney, address not given, **Plano, TX**, representing Flat-coated Retriever Club
and Lone Star Retriever Hunting Club
Dagmar Fertl, 8112 Springmoss Dr. **Plano, TX**
Rochelle Nagel, 2841 Claudette Ave.
Fred Knight, 1603 Cedar Hill, **Duncanville, TX**
Caroline Eberhardt, 5507 Mercedes Ave.
Diane Brantley, address not given, **Lancaster, TX**
Jonathan Elledge, 2704 Salado Trail, **Fort Worth, TX**
Martin Kralik, 6523 Pimberton Dr.
Nancy Wright, **Floyd, TX**, Legislative Chair for Texas Kennel Club
Verjean Lunenschloss, 1616 Commerce Dr., **Plano, TX**

Mayor Leppert allowed the following citizens to state their names and addresses in
opposition to the item for the record:

Debbie Boyer, address not given, **Plano, TX**
Sarah Helber, 3145 Merrell Rd.
Cindy Howell, 10405 Yorkford Dr.
Tom Lundberg, 11322 Wonderland Trail
Sloan Cunningham, address not given
Gloria Blum, 7624 Querida
Marilyn Dudley, 1914 Woodoak, **Irving, TX**
Amy Pyeatt, 440 Southview Dr., **Allen, TX**, representing Lone Star Poodle Club and
Big D Hunting Retriever Club
Don Sutton, President Texas Kennel Club
Karen Meyer, address not given, **Arlington, TX**
Trina Chatman, address not given, **Arlington, TX**
Ashley Helber, address not given
Sherry Dollar, 3221 Highbrook Dr.
Cindy Hilscher, address not given, member of American Kennel Club
Daline Bezerra, 2026 Court Pl., **Garland, TX**, representing North Texas Bully Breed Club
Erin Webster, 9009 Wild Rose Lane, **Crossroads, TX**, representing Dallas Fort Worth
Labrador Retriever Club
Pamela Shab, address not given, **Azle, TX,,** representing Fort Worth Kennel Club
Sandy Mueller, 3216 Colgate

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Mayor Leppert allowed the following citizens to state their names and addresses in opposition to the item for the record: (continued)

Jennet Gaspar, 1831 Austin Ave., **Grand Prairie, TX**, representing North Texas Bully Breed Club

Juan Gonzales, address not given

Cheryl Haughton, 304 Touchdown Dr., Regional Director of International Cat Association

Dana Pendergrass, address not given, representing International Cat Association

Kathy Anderton, address not given, **Rowlett, TX**

John Morris, address not given, **Rowlett, TX**, representing International Cat Association

Marvin Katz, 6924 Leameadow

Corinne Vanderpool, address not given, **Frisco, TX**, member of Dallas Boxer Club

Mary "Tiger" Gahagan, address not given, representing Tiny Paws Kitten Rescue

Paul Johnson, address not given, **Hutchins, TX**

Susan Raney, 5408 Hilton Head Dr.

Linda Moore, 6627 Robin Rd.

Sheryl Pedago, address not given

Phyllis McNaughton, address not given

Lila Roberts, address not given, **Waxahachie, TX**

Linda Sharon, no address given, **Grand Prairie, TX**

Linda Riley, 9532 Biscayne Blvd

Madge Billings, 5007 N. Briaridge, **McKinney, TX**

Grady Riley, 9532 Biscayne Blvd.

Elizabeth Pyatte, 9904 Van Dyke Rd.

Jesse Corral, 2729 Emmanuel Dr.

Ted Eubank, 12660 Hillcrest Rd.

Darryl Wright, address not given, member of Texas Kennel Club

Gene Norman, address not given, former President of Texas Kennel Club

Elizabeth Arellano, 5507 Mercedes Ave.

Martha Sue Goodson, 11007 Ridgemeanow Dr.

Brandon Zachary, 1904 Rayburn Ave., **Mesquite, TX**

Jerry Adams, 4811 Burma Dr.

Ken Thornhill, address not given

John Miles, 4071 Clover Lane

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

James Bias, 2400 Lone Star Dr., President of SPCA of Texas
Jay Sabatucci, 4206 Selina Ct., **Arlington, TX**, President of the Texas Animal Control Association
August Claybrook, 9407 Parkford Dr.
Elaine Munch, 3362 Merrell Rd., representing Metroplex Animal Coalition
John Pippin, 6716 Gold Dust Trail
Sherwin Daryani, 9635 Livenshire Dr., representing Operation Kindness
Nancy Underwood, 2215 Cedar Springs
Pat Rodriguez, 3765 Seguin Dr.
Lisa Shay, 4200 Newton
Kathee Crough, 423 N. Oak Cliff Blvd.
Jonnie England, 3208 Monte Carlo, representing Paws in the City
Jamie Glick, 3604 Cedar Springs Rd., representing Paws in the City
Alicia Voltmer, 8117 Preston Rd., representing Companion for Life
Cynthia Swiatkowski, 10767 Camellia Dr.
Angie Thomas, 5820 Ravendale Ln., representing Kittico Cat Rescue
Celia Orr, 6214 Danburg, representing Kittco Cat Rescue
Katherine Hall, 4601 Amesbury Dr.
Susan Oakey, 444 Mayrant Dr.
Nancy Caveness, 7421 Frankford Rd.
Dorothy Phillips, 7145 Manor Oaks
Deborah Neuts, 710 Dumant Dr., **Richardson, TX**
Lance Pattist, 2009 Pebble Beach Ct., **Richardson, TX**
Peggy Sorrentino, 3338 Brook Glen, **Garland, TX**
Claire Schwarz, 5611 Vickery Blvd.
Mary Spencer, 6943 Wildgrove Ave.
Deborah Carpenter, 2009 Neal
Niloofer Asgharian, 4003 Lynbrook Lane, **Arlington, TX**, representing Dogs Deserve Better
Andrea Allen, 6414 McCommas Blvd.
Barbara Barbee, 303 N. Barnett Ave.
Karen Campbell, 7205 Cedar Ct.
Tanja Sewell Pattist, 2009 Pebble Beach Ct., representing Texas Animal Shelter Commission
Karen Kennedy, address not given
Stacey Bower, 1537 Crosscourt Dr., **Garland, TX**
Tammy Camp, 3225 Turtle Creek Blvd.
Mary Mitchell Trimble, 5936 Woodland
Michael Poulos, 3113 Commonwealth St., **Irving, TX**
Madeline Del Castillo, 4308 Fannin Dr., **Irving, TX**

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

Rebecca Poling, 6022 White Rose Trail, representing Companions for Life
Elizabeth Schrupp, 6223 Lavendale Ave.
Catherine Chang, 6165 St. Moritz
Maja McFaul, 5434 Mercedes Ave.
Darlene Payton, 2810 Ursa Circle, **Garland, TX**
Cindy Williams, 3609 Waldorf Dr.
Cathi Wood, 5027 Stoneleigh Ave.
Hillary Hurst, 4645 Meadowwood Rd., Vice President of Metroplex Animal Coalition
Susan Bell, 8514 Sweetwood Dr.
Donna Droby, 5116 Elkridge Dr.
Margie Harris, 3501 Vanderbilt Ct., **Garland, TX**
Pamela Bertsch, 7001 Portobello Dr., **Plano, TX**
Barbara Vilman, address not given, **Plano, TX**
Michelle Upchurch, address not given, **Carrollton, TX**
Cary Birdwell, 5325 Sleetwood Oaks Ave.
Linda Churchwell, 2256 Peavy Circle, representing Paws in the City/Animal Advocates
Carol Sue Coursey, 6333 Town Hill Lane
Jennifer Roberts, address not given, member of Animal Shelter Commission
Leslie Allen Davis, 3035 E. Ledbetter
Marty Holden, address not given, **Richardson, TX**
Judi Burnett, 7656 La Manga

Mayor Pro Tem Garcia moved to pass the ordinance.

Motion seconded by Councilmember Neumann.

Later in the meeting, Councilmember Natinsky moved to substitute Mayor Pro Tem Garcia's motion and amend certain parts of the ordinance, "Section 7-4.6. Limitation on the Number of Dogs and Cats in Dwelling Unit; to modify the limitation on animals, which is currently at six on up to one-half acre in a single family home and increase the opportunity for every additional one-half acre of single family residential land, beyond that, the family could have four additional dogs. Before moving on, look at the increase in intact fees of \$70.00, the breeder section of the ordinance be removed, and see if the city can make progress getting whatever numbers of unregistered, loose and stray animals in the city moved either into the registration or picked up and gotten off the streets."

Motion seconded by Councilmember Hunt.

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08-1906

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Mayor Leppert called the vote on Councilmember Natinsky's motion to substitute Mayor Pro Tem Garcia's motion and amend certain parts of the ordinance, "Section 7-4.6. Limitation on the Number of Dogs and Cats in Dwelling Unit; to modify the limitation on animals, which is currently at six on up to one-half acre in a single family home and increase the opportunity for every additional one-half acre of single family residential land, beyond that, the family could have four additional dogs. Before moving on, look at the increase in intact fees of \$70.00, the breeder section of the ordinance be removed, and see if the city can make progress getting whatever numbers of unregistered, loose and stray animals in the city moved either into the registration or picked up and gotten off the streets."

Voting Yes: [4] Kadane, Koop, Natinsky, Hunt
Voting No: [9] Leppert, Garcia, Caraway, Neumann, Hill, Salazar, Atkins,
Allen, Rasansky
Absent when vote taken: [1] Medrano
Absent: [1] Davis

Mayor Leppert declared the substitute motion failed.

Mayor Leppert called the vote on Mayor Pro Tem Garcia's original motion to pass the ordinance:

Voting Yes: [10] Leppert, Garcia, Caraway, Neumann, Hill, Salazar, Atkins,
Allen, Koop, Rasansky
Voting No: [3] Kadane, Natinsky, Hunt
Absent when vote taken: [1] Medrano
Absent: [1] Davis

Mayor Leppert declared the motion unanimously adopted.

Assigned ORDINANCE 27250

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1907

Addendum addition 36: Zoning Case Z078-210 (MAW) INDIVIDUAL

A public hearing was called on zoning case Z078-210 (MAW), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an LI Light Industrial District on the west side of Fran Way, north of Avenue B

(The staff and city plan commission recommended approval)

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

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

Motion seconded by Councilmember Atkins and unanimously adopted. (Salazar absent when vote taken; Davis absent on city business)

Assigned ORDINANCE NO. 27251

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1908

Addendum addition 37: Zoning Case Z078-213 (RB) INDIVIDUAL

A public hearing was called on zoning case Z078-213 (RB), an application for and an ordinance granting a Planned Development District for a Community service center and MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, at the southeast corner of Hatcher Street and Troy Street

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

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

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

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

Assigned ORDINANCE NO. 27252

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1909

Addendum addition 38: A public hearing to receive comments regarding consideration of amendments to Chapter 51A of the Dallas Development Code to amend regulations pertaining to premise signs and special purpose signs 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.

Deputy Mayor Pro Tem Caraway moved to close the public hearing and approve the recommendation of the City Plan Commission subject to the following changes:

1. Prohibit all special purpose signs.
2. Window and glass door signs shall be limited to 15 percent of window area.
3. Prohibit signs in the upper two-thirds of windows and glass doors.
4. Compliance with the window and glass door sign regulations is required by September 25, 2008.
5. Limit signs on primary facades to 25% of the total façade area, and limit signs on secondary facades to 15% of the total facade area.
6. Retain provision allowing no more than 8 words with a height greater than 4 inches and unlimited words with a height less than 4 inches.

and pass the ordinance.

Motion seconded by Councilmember Neumann and unanimously adopted. (Salazar absent when vote taken; Davis absent on city business)

Assign ORDINANCE NO. 27253

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 25, 2008

08-1910

NOTICE OF DEFERRED OR DELETED ITEMS

CITY COUNCIL MEETING
JUNE 25, 2008

POSTED ON MONDAY, JUNE 23, 2008

THE FOLLOWING AGENDA ITEMS HAVE BEEN DEFERRED AND/OR DELETED ON THE CITY COUNCIL VOTING AGENDA MEETING BY MEMBERS OF THE COUNCIL AND CITY MANAGER IN ACCORDANCE WITH RULE 7.11 OF THE CITY COUNCIL RULES OF PROCEDURE:

Addendum Agenda Item 21: An ordinance amending Chapter 16 of the Dallas Fire Code and Chapter 48B of the Dallas City Code, as amended, to provide consistency in code requirements for vacant buildings located in the Central Business District - Financing: No cost consideration to the City - **Deleted by City Manager**

Addendum Agenda Item 34: A resolution amending Sections 2, 4, 6, 7, and 9 of the City Council Rules of Procedures to revise rules relating to city council attendance, city council quorums, powers of the mayor and council, agenda procedures, conduct of meetings and speakers. - **Deferred by Councilmembers Hill, Davis, Atkins and Hunt**

Deborah Watkins
CITY SECRETARY

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 25, 2008

EXHIBIT C