

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 13, 2008

08-2010  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar  
(\*9:17), Davis, Atkins, Kadane, Allen, Koop, Natinsky, Rasansky,  
Hunt

ABSENT: [0]

The meeting was called to order at 9:06 a.m.

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

The invocation was given by Pastor Tyrone Gordon, St. Luke "Community" United Methodist Church.

The Boy Scout Troop 42 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 5:17 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 13, 2008

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 13, 2008

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2011

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: Low wages and poor conditions in sanitation

SPEAKER: Susan Oakey, 444 Mayrant Dr.  
REPRESENTING: Animal Connection of Texas  
SUBJECT: Sending Jenny to Tennessee

SPEAKER: Diane Smith, 2148 56<sup>th</sup> St.  
REPRESENTING: Citizens for Environmental Justice Committee  
SUBJECT: Environmental Justice

SPEAKER: Brenda Jackson, 3014 S. Marsalis  
REPRESENTING: Citizens for Environmental Justice Committee  
SUBJECT: Environmental Justice

SPEAKER: Linda Bates, 4144 Tram St.  
REPRESENTING: Citizens for Environmental Justice Committee  
SUBJECT: Trinity River issues

**OPEN MICROPHONE – END OF MEETING**

Mayor Leppert allow the following individuals to address the council on the subject "Jenny the Elephant" for 15 minutes.

SPEAKER: Monica Pineda, Martin Mendale 812-401, Col. Del Valle, Mexico  
REPRESENTING: Gente Por la defense Animal  
SUBJECT: Jenny the Elephant – Dallas Zoo

SPEAKER: Brooke Zrno, 6920 Glenbrook Lane  
REPRESENTING: Concerned Citizens for Jenny  
SUBJECT: Jenny the Elephant – Dallas Zoo

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

Mayor Leppert allow the following individual to address the council on the subject “Jenny the Elephant” for 15 minutes: (continued)

SPEAKER: Lenna Webb, 17261 Hidden Glen Dr.  
REPRESENTING: Concerned Citizens for Jenny  
SUBJECT: Jenny the Elephant – Dallas Zoo

SPEAKER: Bob Walton, 4213 Sycamore Lane, **Parker, TX**  
REPRESENTING: Concerned Citizens for Jenny  
SUBJECT: Jenny the Elephant – Dallas Zoo

SPEAKER: Tommy Bobo, 2525 Bolton Boone, **DeSoto, TX**  
REPRESENTING: Concerned Citizens for Jenny  
SUBJECT: Jenny the Elephant – Dallas Zoo

SPEAKER: Michelle Bryant, 7421 Frankford Road  
REPRESENTING: Concerned Citizens for Jenny  
SUBJECT: Jenny the Elephant – Dallas Zoo

Mayor Leppert allowed the additional individuals to state their names and addresses for the record on the subject “Jenny the Elephant”:

Terra Dahl Ruben, 4600 Courtyard Trail, **Plano, TX**  
Carney Anne Chester, 8918 White Pine Lane  
Alice Yang, 1444 Shephard Lane  
Bill Herrera, 1100 Damsel Ginger Lane, **Lewisville, TX**  
Blanca Gonzalez, 3309 Minot Ave., **Fort Worth, TX**, representing Code Pink  
Neha Patel, 414 Santa Fe Trail, **Irving, TX**  
Veronica Burger, 6363 Forest Park Road  
Jane Lorenzen, 1317 Meadowcrest Dr. **Plano, TX**  
Allison Fitzgerald, **McKinney, TX**  
John Levas, 3622 James St.

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Newman Lollis, 9811 Casa Oaks Dr.  
SUBJECT: Forney Road Animal Shelter

**OPEN MICROPHONE – END OF MEETING (Continued)**

SPEAKER: Harold Avery, 725 Foxboro Lane  
SUBJECT: Average sewer usage

SPEAKER: B. M. Randolph, P. O. Box 210315  
REPRESENTING: Making a Difference FJC (For Jesus Christ) and Helping People  
SUBJECT: DISD suggestion

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Corrupt Dallas Police Officer, corrupt DART Police Officer,  
code compliance supervisor, past DA prosecuting attorney and Dallas  
is a racist city

SPEAKER: Gwain Wooten, 4625 Bryan St.  
REPRESENTING: R.A.W. Real American Women  
SUBJECT: There is a side affect to slavery, brain was

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.  
SUBJECT: City Manager and DPD policies concerning molested children

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2012

Item 1: Approval of Minutes of the June 25, 2008 City Council Meeting

Councilmember Medrano moved to approve the minutes.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2013

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-79 and addendum addition consent agenda items 1-4, was presented for consideration.

The City Secretary requested that consent agenda item 79 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that consent agenda item 79 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Councilmember Neumann requested that consent agenda item 68 and addendum addition consent agenda item 4 be considered as individual items. Mayor Leppert stated that consent agenda item 68 and addendum addition consent agenda item 4 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

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

Councilmember Natinsky requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 3, 5, 7, 11, 39, 64, 70, 78 and addendum addition consent agenda items 1, 3, and 4 be considered as individual items. Mayor Leppert stated that consent agenda items 3, 5, 7, 11, 39, 64, 70, 78 and addendum addition consent agenda items 1, 3, and 4 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Hunt requested that consent agenda items 4 and 11 be considered as individual items. Mayor Leppert stated that consent agenda items 4 and 11 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hunt's request.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-2013

Page 2

Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 3, 4, 5, 7, 11, 18, 39, 64, 68, 70, 78, 79 and addendum addition consent agenda items 1, 3, and 4 which would be considered later in the meeting.

Motion seconded Deputy Mayor Pro Tem Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2014

Item 2: Authorize the purchase of a swing check valve - JD Bodine, Inc., lowest responsible bidder of three - Not to exceed \$52,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2015

Item 3: Authorize the purchase of one passenger shuttle vehicle - SVI, Inc., lowest responsible bidder of two - Not to exceed \$217,140 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 3 be considered as an individual item. Mayor Leppert stated that 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, agenda item 3 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2016

Item 4: Authorize a twelve-month master agreement for refuse trucks, bucket truck and a utility truck - Rush Truck Center in the amount of \$1,068,740, and Philpott Motors, Inc., through the Houston-Galveston Area Council of Governments Purchasing Cooperative in the amount of \$175,804, lowest responsible bidders of four - Total not to exceed \$1,244,544 - Financing: Current Funds (\$72,003), 2007 Equipment Acquisition Contractual Obligation Notes (\$1,137,329), Water Utilities Current Funds (\$35,212)

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

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

Councilmember Hunt moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Caraway.

Councilmember Koop asked Councilmember Hunt if she would accept a friendly amendment to her motion to approve the item and to have the staff come back with a plan so at some point and time we have addressed the question of C & G.

Councilmember Hunt agreed to accept the friendly amendment made by Councilmember Koop for the staff to come back with a plan so at some point and time we have addressed the question of C & G.

Deputy Mayor Pro Tem Caraway, who seconded the motion, also accepted friendly amendment to approve the item and have the staff come back with a plan so at some point and time we have addressed the question of C & G.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2017

Item 5: Authorize a twelve-month master agreement for anhydrous ammonia - DPC Industries Company, lowest responsible bidder of two - Not to exceed \$714,672 - Financing: Water Utilities Current Funds

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

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

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2018

Item 6: Authorize a twenty-four-month master agreement for ductile iron pipe for the transport of water - Griffin Pipe Products Co., lowest responsible bidder of two - Not to exceed \$273,244 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2019

Item 7: Authorize a thirty-six-month master agreement for Cisco communication equipment and Smart Net maintenance services for new projects - AT&T, through the Department of Information Resources, State of Texas Department of Information Resources contract - Not to exceed \$3,000,000 - Financing: Current Funds

Councilmember Natinsky and Councilmember Rasansky requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 7 was brought up for consideration.

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

Councilmember Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2020

Item 8: Authorize a thirty-six-month master agreement for protective clothing - BKW Environmental in the amount of \$249,439, Lone Star Safety & Supply, Inc. in the amount of \$98,488, Safety Supply, Inc. in the amount of \$95,051, and The Strong Group, Inc. in the amount of \$69,566, lowest responsible bidders of twelve - Total not to exceed \$512,544 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2021

Item 9: Authorize a thirty-six-month master agreement for sulfur dioxide for the removal of residual chlorine at the Central and Southside Wastewater Treatment Plants - Calabrian Corporation, lowest responsible bidder of two - Not to exceed \$1,817,500 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2022

Item 10: Authorize a thirty-six-month service contract, with two one-year renewal options, for marketing charitable events for the City of Dallas Annual Charitable Campaign - United Way of Metropolitan Dallas, Inc., most advantageous proposer of two - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2023

Item 11: Authorize a thirty-six-month service contract for automotive body parts and labor - First Class Auto, Inc. in the amount of \$4,556,000, Martin's Paint & Body Shop in the amount of \$1,950,250 and Six Construct, Inc. dba Budget Auto Body Shop in the amount of \$1,899,000, lowest responsible bidders of seven - Total not to exceed \$8,405,250 - Financing: Current Funds (subject to annual appropriations)

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

Later in the meeting, agenda item 11 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 Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2024

Item 12: Authorize a thirty-six-month service contract for maintenance and replacement of wastewater flowmeters with probes for monitoring service lines - Interra Hydro, Inc., lowest responsible bidder of three - Not to exceed \$212,988 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2025

Item 13: Authorize settlement of the lawsuit styled Dallas Area Rapid Transit in the name of Joe A. Lewis and Joe A. Lewis v. City of Dallas, Texas, Cause No. 06-06348-B - Not to exceed \$29,005 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2026

Item 14: Authorize settlement of the lawsuit styled Silvina Nohemi Cuenca v. Humberto Huerta and City of Dallas, Cause No. 07-12458-D - Not to exceed \$7,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2027

Item 15: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services necessary in the lawsuit styled City of Dallas, Texas v. H. Dale Hall, et al., Civil Action No. 3:07-CV-0060-P and related matters - Not to exceed \$570,000, from \$550,000 to \$1,120,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2028

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of six tracts of land containing a total of approximately 418,154 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - \$458,728 (\$449,528 plus closing costs not to exceed \$9,200) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2029

Item 17: Authorize payment for reestablishment expenses for Jeff Keysock, dba Key Warehousing, who was displaced from 1301 McDonald Street, Bay #3, as a direct result of real property acquisition to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$10,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2030

Item 18: Authorize replacement housing payment for homeowner, Walter Norris, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$81,400 - Financing: 2007-08 Community Development Grant Funds

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

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

Councilmember Davis moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2031

Item 19: Authorize moving expense and replacement housing payments for Mary Evans as a result of an official written offer of just compensation to purchase real property to be used in conjunction with the Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Not to exceed \$63,200 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2032

Item 20: Authorize the quitclaim of 17 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$206,794

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2033

Item 21: An ordinance abandoning a portion of a fire lane easement to ZOM Village View, L.P., the abutting owner, containing approximately 26,001 square feet of land located near the intersection of Fisher Road and Skillman Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27254

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2034

Item 22: An ordinance abandoning a portion of Burbank Street containing approximately 5,591 square feet of land to Uplift Education, the abutting owner, located near its intersection with Regal Row, authorizing the quitclaim and providing for the dedication of a total of approximately 4,234 square feet of land for needed street right-of-way - Revenue: \$7,464 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27255

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2035

Item 23: An ordinance abandoning portions of fire lane and utility easements to Kaplan Greenville Avenue Apartments, L.P., the abutting owner, containing a total of approximately 73,454 square feet of land located near the intersection of Greenville Avenue and Forest Lane - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27256

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2036

Item 24: An ordinance abandoning a portion of an alley to Dallas Area Rapid Transit, the abutting owner, containing approximately 5,391 square feet of land in exchange for the dedication of no less than 5,391 square feet of land needed for street improvements located near the intersection of Harry Hines Boulevard and Wycliff Avenue, and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27257



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2037

Item 25: An ordinance abandoning a portion of a mutual access drainage and utility easement to Carsmetics Autowash, LLC, the abutting owner, containing approximately 1,039 square feet of land located near the intersection of Old Hickory Trail and Wheatland Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27258

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2038

Item 26: An ordinance abandoning a portion of East Side Avenue to Deep Ellum Warehouses, LTD., BWK Ventures, LLC and Haskell Property Partners, L.P., the abutting owners, containing approximately 8,105 square feet of land located near the intersection of East Side and Haskell Avenues, authorizing the quitclaim and providing for the dedication of approximately 3,880 square feet of needed land for right-of-way - Revenue: \$47,531 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27259

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2039

Item 27: An ordinance abandoning a portion of Manderville Lane and portions of adjacent street easements to Next Block-Dallas I, L.P., the abutting owner, containing a total of approximately 131,442 square feet of land located near the intersection of Manderville Lane and Meadow Road, and providing for the dedication of no less than 131,442 square feet of land, and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27260

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2040

Item 28: An ordinance granting a private license to DLD Properties, Ltd. for the installation and maintenance of two signs, five banners, and eight canopies above a portion of Main Street right-of-way located near its intersection with Akard Street - Revenue: \$9,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27261

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2041

Item 29: An ordinance granting a private license to Henderson Belmont Apartments PO Limited Partnership for the use of approximately 12,757 square feet of land to construct, install and maintain an improved sidewalk, public parking, landscaping and streetscape improvements located on Belmont, Garrett and Henderson Avenues rights-of-way - Revenue: \$16,915 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27262

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2042

**Cityplace Area TIF District**

**Note:** Item Nos. 30 and 31 must  
be considered collectively.

Item 30: Authorize **(1)** a development agreement with Uptown Dallas Inc. to provide funding for the construction of public improvements for two medians in Blackburn Street beginning at the intersection of Blackburn Street and Noble Avenue, extending to the intersection of Blackburn Street and Cole Avenue; and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$50,000 from Cityplace Area TIF District Funds and/or Tax Increment Bond Funds in accordance with the development agreement - Not to exceed \$50,000 - Financing: Cityplace TIF District Funds and/or Tax Increment Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2043

**Cityplace Area TIF District**

**Note:** Item Nos. 30 and 31 must  
be considered collectively.

Item 31: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to pay Uptown Dallas Inc. up to \$50,000 for TIF-eligible project costs for public improvements for two medians in Blackburn Street beginning at the intersection of Blackburn Street and Noble Avenue, extending to the intersection of Blackburn Street and Cole Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2044

**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

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

**Oak Cliff Gateway TIF District**

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

08-2045

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2046

Item 34: Authorize a contract with Community Dental Care for the continuation of dental health services to low-income residents of Dallas for the period October 1, 2008 through September 30, 2009 - Not to exceed \$200,000 - Financing: 2008-09 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2047

Item 35: Authorize a secured, no interest, forgivable loan agreement with Legacy Counseling Center, Inc. to provide for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street for the period October 1, 2008 through September 30, 2009 - Not to exceed \$15,870 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2048

Item 36: Authorize a secured, no interest, forgivable loan agreement with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, to provide for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue, Revlon Apartments located at 720 North Lancaster, and Spencer Gardens located at 717 Comal for the period October 1, 2008 through September 30, 2009 - Not to exceed \$202,270 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds (\$45,270) and 2006-07 Housing Opportunities for Persons with AIDS Grant Funds (\$157,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2049

Item 37: Authorize a twelve-month contract, with two twelve-month renewal options, with Dallas Jewish Coalition, Inc. dba Vogel Alcove Childcare Center for the Homeless for the provision of child care for homeless families for the period October 1, 2008 through September 30, 2009 - Not to exceed \$74,985 - Financing: 2008-09 Community Development Grant Funds (\$43,985) and Current Funds (\$31,000) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2050

Item 38: Authorize a twelve-month contract, with two twelve-month renewal options, with Legal Aid of NorthWest Texas to provide free legal aid to the homeless for the period October 1, 2008 through September 30, 2009 - Not to exceed \$114,400 - Financing: 2008-09 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2051

Item 39: Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of \$1.83 for each certificate printed for the period September 1, 2008 through August 31, 2010 - Not to exceed \$75,000 annually for a total not to exceed \$150,000 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 39 be considered as an individual item. Mayor Leppert stated that consent agenda item 39 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 39 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2052

Item 40: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide a tenant-based rental assistance program for the homeless for the period October 1, 2008 through September 30, 2009 - Not to exceed \$300,000 - Financing: 2008-09 HOME Investment Partnerships Program Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2053

Item 41: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2008 through September 30, 2009 - Not to exceed \$1,326,800 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds (\$420,388), 2007-08 Housing Opportunities for Persons with AIDS Grant Funds (\$350,072) and 2006-07 Housing Opportunities for Persons with AIDS Grant Funds (\$556,340)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2054

Item 42: Authorize the first twelve-month renewal option to the contract with AIDS Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2008 through September 30, 2009 - Not to exceed \$401,250 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2055

Item 43: Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2008 through September 30, 2009 - Not to exceed \$176,205 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2056

Item 44: Authorize the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2008 through September 30, 2009 - Not to exceed \$977,120 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2057

Item 45: Authorize the first twelve-month renewal option to the contract with Welcome House, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2008 through September 30, 2009 - Not to exceed \$429,925 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2058

Item 46: Authorize the second twelve-month renewal option to the contract with Phoenix Houses of Texas, Inc. for residential substance abuse services for low-income medically indigent adolescents for the period October 1, 2008 through September 30, 2009 - Not to exceed \$76,560 - Financing: 2008-09 Community Development Grant Funds (\$65,000) and Current Funds (\$11,560) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2059

Item 47: Authorize **(1)** the acceptance of a Permanent Supportive Housing Grant in the amount of \$1,403,812 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for single chronically homeless persons for the period October 1, 2008 through September 30, 2010; **(2)** a local match in an amount not to exceed \$73,962; and **(3)** execution of the grant agreement - Total not to exceed \$1,477,774 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$1,403,812) and Current Funds (\$73,962) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2060

Item 48: Authorize the second amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to provide for the term of the lease to expire on September 30, 2008 at the leased facility located at 9202 Elam Road with approximately 984 square feet of space to be used as a Women, Infants and Children Clinic - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2061

Item 49: An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code to require vacant buildings in the Central Business District to maintain operable fire alarm, sprinkler and standpipe systems if these systems are required by code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27263

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2062

Item 50: Authorize acquisition of a vacant lot at 2512 Wells Street, six parcels improved with occupied single-family residences at 2434 Easley Street, 2529 Wells Street, 2605 Rochester Street, 2516 St. Clair Street, 2618 Valentine Street and 2610 Anderson Street, two parcels improved with vacant single-family residences at 2444 Easley Street and 2510 Macon Street, one parcel improved with an occupied commercial structure at 6026 Bexar Street, one parcel improved with a vacant commercial structure 6116 Bexar Street and one parcel improved with a vacant church at 6106 Bexar Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$495,600 including estimated closing costs - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2063

Item 51: Authorize the reconstruction on site of seven homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 3719 Frank Street in the amount of \$87,500; 4619 Collins Avenue in the amount of \$87,500; 2650 East Ann Arbor Avenue in the amount of \$86,500; 3100 Mallory Drive in the amount of \$87,500; 1622 Garden Drive in the amount of \$87,500; 1938 Leath Street in the amount of \$87,500; and 2002 Arizona Avenue in the amount of \$87,500 - Total not to exceed \$611,500 - Financing: 2007-2008 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2064

Item 52: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope Community Development Corporation for the construction of affordable houses, **(2)** the sale of 5 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2065

Item 53: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 20 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2066

Item 54: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 9 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2067

Item 55: Authorize **(1)** a public hearing to be held October 8, 2008 to receive comments on the proposed City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan; and, **(2)** at the close of the public hearing, consideration of approval of the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2068

Item 56: Authorize **(1)** the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2007 to September 30, 2011; **(2)** execution of the Funds Sharing and Fiscal Agency Agreement between the City of Dallas, Dallas County, and eligible units of local government; **(3)** disbursement of grant funds to Dallas County and other eligible designated cities in the amount of \$238,698; **(4)** acceptance of the City's portion of the grant in the amount of \$412,603; and **(5)** execution of the grant agreement - Total not to exceed \$651,301 - Financing: U.S. Department of Justice Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2069

Item 57: Authorize **(1)** the acceptance of a grant from the Institute of Museum and Library Services for the "Dallas Public Library Grow Your Own Librarian" continuing education program for the period September 1, 2008 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$545,909 - Financing: The Institute of Museum and Library Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2070

Item 58: Authorize **(1)** the acceptance of a federal grant through the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2008 through August 31, 2009; and **(2)** execution of the grant agreement - Not to exceed \$359,308 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2071

Item 59: An ordinance amending Chapters 5A and 30 of the Dallas City Code to allow a motor vehicle to idle under certain circumstances to power a heater or air conditioner while a driver is taking a government-mandated rest period -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27264

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2072

Item 60: Authorize an amendment to the 2008 City Calendar to **(1)** cancel the Council Committee Meetings currently scheduled for October 6 and 7, 2008; and **(2)** add a City Council Planning Retreat on October 6 and 7, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2073

Item 61: Authorize a public hearing to be held on August 27, 2008 to receive comments on the proposed FY 2008-09 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2074

Item 62: Authorize a contract for the installation of a new playground and site furnishings at Kensington Park located at 10600 Chesapeake Drive - A S Con, Inc., lowest responsible bidder of two - \$124,490 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2075

Item 63: Authorize a contract for the installation of a new playground and site furnishings, and construction of a new parking lot at Pleasant Oaks Park located at 8700 Greenmound Avenue - A S Con, Inc., lowest responsible bidder of three - \$269,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2076

Item 64: Authorize an increase in the contract with MetalMan Design/Build Corporation for modifications to the plumbing, filtration and circulation systems for the River Exhibit within the Wilds of Africa, modification and expansion of the Giraffe Exhibit, and animal outreach building containment yard enhancements at the Dallas Zoo located at 650 South R. L. Thornton Freeway - Not to exceed \$345,589, from \$1,386,464 to \$1,732,053 - Financing: 1998 Bond Funds (\$150,877), 2003 Bond Funds (\$146,034) and Dallas Zoo Trust Funds (\$48,678)

Councilmember Rasansky requested that consent agenda item 64 be considered as an individual item. Mayor Leppert stated that consent agenda item 64 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 64 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2077

Item 65: Authorize Supplemental Agreement No. 3 to the professional services contract with Carter & Burgess, Inc. for topographic survey through construction administration services for improvements to the Celebration Tree Grove on East Lawther Drive, West Lawther hike and bike trail improvements, lighting design for the existing parking lots, and relocation of the Fisher Road overlook at White Rock Lake Park located at 8300 Garland Road - Not to exceed \$45,530, from \$207,555 to \$253,085 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2078

Item 66: Authorize approval of the recommended plan for the proposed alignment of Brockbank Drive from Lombardy Lane to 600 feet north of Wheelock Street, from its current alignment to the proposed alignment of Brockbank Drive -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2079

Item 67: Authorize payment to the Texas Department of Transportation for the City's share of construction costs for paving and drainage improvements on Northwest Highway from 200 feet west of Shiloh Road to 200 feet west of IH 635 - \$156,647 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2080

Item 68: Authorize a Project Specific Agreement with Dallas County for participation in the design and construction of paving and drainage improvements on Mountain Creek Parkway from 2400 feet southeast of Eagle Ford Drive to Clark Road - Not to exceed \$300,000 - Financing: 2006 Bond Funds

Councilmember Neumann requested that consent agenda item 68 be considered as an individual item. Mayor Leppert stated that consent agenda item 68 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 68 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2081

Item 69: Authorize **(1)** a contract for construction of Tom Braniff drainage open channel improvements, Cedar Springs terminal stormwater/roadway repairs and parking garage stormwater repairs at Dallas Love Field, with Texas Standard Construction, LTD, lowest responsible bidder of four in the amount of \$3,410,525; and **(2)** an increase in appropriations in an amount not to exceed \$2,429,494 in the Aviation Airport Improvement Program Grant Fund - Not to exceed \$3,410,525 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$2,429,494) and Aviation Capital Construction Funds (\$981,031)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2082

Item 70: Authorize **(1)** a contract for infrastructure improvements, Phase I at Dallas Heritage Village dba Old City Park, with Gilbert May, Inc. dba Phillips / May Corporation, lowest responsible bidder of two, in the amount of \$1,563,333; **(2)** the receipt and deposit of funds in participation costs in an amount not to exceed \$613,644 in the Capital Projects Reimbursement Fund; and **(3)** an increase in appropriations in the amount of \$613,644 in the Capital Projects Reimbursement Fund - Not to exceed \$1,563,333 - Financing: 2003 Bond Funds (\$949,689) and Capital Projects Reimbursement Funds (\$613,644)

Councilmember Rasansky requested that consent agenda item 70 be considered as an individual item. Mayor Leppert stated that consent agenda item 70 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 70 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2083

Item 71: Authorize a professional services contract with Garver Engineers, LLC for the engineering design of street paving, storm drainage, water and wastewater main improvements for Stedman Drive from Stedman Circle to Davenport Road; and intersection improvements for Ferguson Road at Shiloh Road and Williamson Road at Mockingbird Lane - \$146,602 - Financing: 2003 Bond Funds (\$97,778) and 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2084

Item 72: Authorize an increase in the contract with Ken-Do Contracting, L.P. to provide for additional demolition and paving costs and traffic control adjustments necessary for the construction of paving and drainage improvements for a hike and bike trail for East Dallas Veloway, Phase II (Santa Fe Trail) from Glasgow Drive to Hill Street - Not to exceed \$426,195, from \$2,900,102 to \$3,326,297 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2085

Item 73: Authorize **(1)** an increase in the contract with EAS Contracting, L.P. for additional work necessary for the runway 13R / 31L safety area enhancement, Phase 1 at Dallas Love Field, in an amount not to exceed \$193,985, from \$4,178,242 to \$4,372,227; and **(2)** an increase in appropriations in an amount not to exceed \$193,985 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Not to exceed \$193,985 - Financing: Aviation Passenger Facility Charge Funds (\$48,496) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$145,489)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2086

Item 74: Authorize **(1)** an increase in the contract with Gibson & Associates, Inc. to provide additional concrete repairs at Taxiway "C" for the construction of shoulder and drainage improvements, Phase I at Dallas Love Field in an amount not to exceed \$150,525, from \$3,457,531 to \$3,608,056; and **(2)** an increase in appropriations in an amount not to exceed \$150,525 in the Aviation Airport Improvement Program Grant Funds - Not to exceed \$150,525 - Financing: Aviation Capital Construction Funds (\$37,631) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$112,894)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2087

Item 75: Authorize Supplemental Agreement No. 1 to the contract with Hayden Consultants, Inc. for the preparation of additional detailed engineering study related to traffic and streetscape improvements for Continental Avenue from East Levee Street to Houston Street - Not to exceed \$79,338, from \$143,344 to \$222,682 - Financing: 1998 Bond Funds (\$25,000) and 2006 Bond Funds (\$54,338)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2088

Item 76: Authorize Supplemental Agreement No. 2 to the contract with Half Associates, Inc., to merge updated hydrologic and hydraulic studies into the new Federal Emergency Management Agency flood maps for Dallas County as part of the nationwide map modernization and preparation of an operation and maintenance manual for the stormwater detention facility at the Woody Branch Stormwater Detention Basin in Boulder Park - Not to exceed \$50,000, from \$1,261,500 to \$1,311,500 - 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

AUGUST 13, 2008

08-2089

Item 77: Authorize **(1)** a professional services contract with Biggs and Mathews Environmental for developing plans and specifications and to perform construction oversight services during the construction of Waste Cell No. 6C at the McCommas Bluff Landfill in an amount not to exceed \$451,644; and, **(2)** an increase in appropriations in the amount of \$65,566 in the Sanitation Waste Cell Sinking Funds - Total not to exceed \$65,566 - Financing: Current Funds (\$42,044) and Sanitation Waste Cell Sinking Funds (\$409,600)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2090

Item 78: Authorize **(1)** a contract for the construction and installation of a concrete trail, prefabricated pedestrian bridge and other miscellaneous items at the Joppa Preserve to the Dallas Eco Business Park Building for the Trinity River Corridor Project with C. Green Scaping, LP, lowest responsible bidder of seven, in the amount of \$1,646,129, and **(2)** execution of a license agreement with ONCOR to allow the trail to be built and maintained across the ONCOR right-of-way for the Trinity Trail Phase 1 - Not to exceed \$1,646,129 - Financing: 1998 Bond Funds (\$1,633,509) and Water Utilities Capital Construction Funds (\$12,620)

Councilmember Rasansky requested that consent agenda item 78 be considered as an individual item. Mayor Leppert stated that consent agenda item 78 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 78 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2091

Item 79: Authorize a contract for the installation of water and wastewater mains at 13 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of six - \$5,187,440 - Financing: Water Utilities Capital Improvement Funds

The City Secretary requested that consent agenda item 79 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that consent agenda item 79 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Later in the meeting agenda item 79 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Patty Herbel, 2607 Marvin Ave., representing Residents of Marvin Avenue  
Doneen Crews, 2611 Marvin Ave., representing Residents of Marvin Avenue

Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2092

Item 80: 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)

There were no consideration of appointments to boards and commissions.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2093

Item 81: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Seastrunk Enterprises, LLC, of approximately 4,000 square feet of unimproved land located near the intersection of Signet and Roberta Streets for pavement and drainage improvements for the Mouser Street Project - \$5,120 - Financing: 2004-05 Community Development Grant Funds

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2094

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 82-102 and addendum agenda item 5, was presented for consideration.

Agenda items 90, 91, 93, 94, 96 and 100 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 82: Zoning Case Z067-295(OTH)  
Agenda item 83: Zoning Case Z067-315(WE)  
Agenda item 84: Zoning Case Z067-316(WE)  
Agenda item 85: Zoning Case Z078-144(RB)  
Agenda item 86: Zoning Case Z078-148(OTH)  
~~Agenda item 87: Zoning Case Z078-155(MW) [deleted on the addendum]~~  
Agenda item 88: Zoning Case Z078-156(MW)  
Agenda item 89: Zoning Case Z078-188(MAW)  
~~Agenda item 90: Zoning Case Z078-190(RB) [considered individually]~~  
~~Agenda item 91: Zoning Case Z078-207 (MAW) [considered individually]~~  
Agenda item 92: Zoning Case Z078-212 (RB)  
~~Agenda item 93: Zoning Case Z078-217 (OTH) [considered individually]~~  
~~Agenda item 94: Zoning Case Z078-218 (OTH) [considered individually]~~  
Agenda item 95: Zoning Case Z078-219 (MAW)  
~~Agenda item 96: Zoning Case Z078-220 (OTH) [considered individually]~~  
Agenda item 97: Zoning Case Z078-221 (OTH)  
Agenda item 98: Zoning Case Z078-224 (JH)  
Agenda item 99: Zoning Case Z078-225 (WE)  
~~Agenda item 100: Zoning Case Z078-226 (WE) [considered individually]~~  
Agenda item 101: Zoning Case Z078-240(OTH)  
Agenda item 102: Zoning Case Z078-255 (JH)  
Addendum Agenda item 5: Zoning Case Z078-237 (RB)

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

Mayor Pro Tem Garcia 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 Koop and unanimously adopted. (Caraway, Hill, Davis, Atkins absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2095

Item 82: Zoning Case Z067-295(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z067-295(OTH), an application for and an ordinance granting a Specific Use Permit for an office use on property zoned Planned Development District No. 465, Subdistrict 2, the Arlington Park Special Purpose District, on the south side of Record Crossing Road, east of I-35

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27265

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2096

Item 83: Zoning Case Z067-315(WE)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z067-315(OTH), an application for and an ordinance granting a Specific Use Permit for a Vehicle Display, Sales and Services Use within Subdistrict 2 of Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, on the south side of C.F. Hawn Freeway, east of Murdock Road

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27266

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2097

Item 84: Zoning Case Z067-316(WE)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z067-316(WE), an application for and an ordinance granting a Specific Use Permit for a bank or savings and loan office on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of Inwood Road and Lemmon Avenue

(The staff and city plan commission recommended approval 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27267

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2098

Item 85: Zoning Case Z078-144(RB)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-144(RB), an application for and an ordinance granting a Specific Use Permit for a Vehicle display, sales, and service use on property within the Subdistrict 1/Tract II portion of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, on the northwest corner of CF Hawn Freeway and Haymarket Road

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27268

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2099

Item 86: Zoning Case Z078-148(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-148(OTH), an application for and an ordinance granting a Planned Development District for Multifamily District uses on property zoned an MF-2(A) Multifamily District, on the southwest corner of Mary Cliff Road and Stevens Forest Drive

(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)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27269

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2100

Item 87: Zoning Case Z078-155(MW)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-155(MW), regarding a Landmark Commission authorized hearing to consider expansion of the Harwood Historic District Overlay No 48, on property zoned Planned Development District No. 619 on the northeast corner of St. Paul Street and Commerce Street with revisions to preservation criteria and exhibits and an ordinance granting the expansion of the Historic Overlay

(The staff and city plan commission recommended approval subject to preservation criteria)

Deleted on the addendum



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2101

Item 88: Zoning Case Z078-156(MW)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-156(MW), regarding a Landmark Commission authorized hearing to consider an Historic Overlay on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with Specific Use Permit No. 119 for a cemetery at the southwest corner of Hatcher Street and Cason Street and an ordinance granting the Historic Overlay

(The staff and city plan commission recommended approval subject to preservation criteria)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27270

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2102

Item 89: Zoning Case Z078-188(MAW)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-188(MAW), an application for and an ordinance granting a CS Commercial Service District on property zoned an R-7.5(A) Single Family District on the north side of CF Hawn Freeway, west of Sunview Drive

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27271

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2103

Item 90: Zoning Case Z078-190(RB)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

The City Secretary requested that zoning consent item 90 be considered as an individual item to allow citizens to speak. Mayor Leppert stated that zoning consent item 90 would be considered as an individual item later in the meeting, there being no objection voiced to the City Secretary's request.

A public hearing was called on zoning case Z078-190(RB), an application for and an ordinance granting an amendment to the conceptual plan and conditions for Planned Development District No. 742 for RR Regional Retail District Uses and Multifamily uses at the north corner of Northwest Highway and Skillman Street

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

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

Howard Parker, 8523 Thackery St.  
Julie Schaar, 3515 Haynie Ave.  
Tom Wood, 6143 Summer Creek Circle

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

Robert Reeves, 900 Jackson St., representing the applicant  
Dupree Scovell, 3001 Maple  
Beatrice Alba Martinez, 7007 Arboreal

Councilmember Kadane moved to close the public hearing, accept the recommendation of the city plan commission subject to a conceptual plan and conditions and pass the ordinance.

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

Assigned ORDINANCE NO. 27272

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2104

Item 91: Zoning Case Z078-207(MAW)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

Councilmember Davis requested that zoning consent item 91 be considered as an individual item. Mayor Leppert stated that zoning consent item 91 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Davis' request.

A public hearing was called on zoning case Z078-207(MAW), an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the west side of Holmes Street, south of Pennsylvania Avenue and a resolution accepting deed restrictions volunteered by the applicant

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

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

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

Robert Baldwin, 6035 Vanderbilt, representing Forest Heights Neighborhood Development Corporation

Councilmember Davis moved to close the public hearing and approve the change of zoning with the ordinance and deed restrictions to come back to the City Council when the deed restrictions are ready.

Motion seconded by Councilmember Atkins and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2105

Item 92: Zoning Case Z078-212(RB)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-212(RB), an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 770 for Multifamily Uses and certain Nonresidential Uses on property zoned Planned Development District No. 770 and an NO(A) Neighborhood Office District on the north side of La Vista Drive east of East Grand Avenue

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27273

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2106

Item 93: Zoning Case Z078-217(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

Councilmember Neumann requested that zoning consent item 93 be considered as an individual item. Mayor Leppert stated that zoning consent item 93 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z078-217(OTH), an application for and an ordinance granting a Specific Use Permit for a day care facility on property zoned an R-10(A) Single Family District, on the southwest corner of Crepe Myrtle Lane and Larkspur Lane

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

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

Councilmember Neumann moved to continue the public hearing and hold under advisement until the September 24, 2008 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar and unanimously adopted.

Later in the meeting, Councilmember Neumann moved to reconsider the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

After discussion, 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 Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2107

Item 94: Zoning Case Z078-218(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

Councilmember Rasansky 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 Rasansky's request.

A public hearing was called on zoning case Z078-218(OTH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CR Community Retail District on the northwest corner of Northwest Highway and Midway Road

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

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

Councilmember Rasansky moved to continue the public hearing and hold under advisement indefinitely.

Motion seconded by Councilmember Atkins and unanimously adopted

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2108

Item 95: Zoning Case Z078-219(MAW)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-219(MAW), an application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-7.5(A) Single Family District on properties generally on the north side of Mockingbird Lane and including both sides of Dalewood Lane, Westbrook Lane, Rockview Lane and Galemeadow Circle

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27274



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2109

Item 96: Zoning Case Z078-220(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

Mayor Pro Tem Garcia requested that zoning consent item 96 be considered as an individual item. Mayor Leppert stated that zoning consent item 96 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

A public hearing was called on zoning case Z078-220(OTH), an application for and an ordinance granting an amendment to and expansion of Tract I within Planned Development District No. 340 on property zoned Tract I of Planned Development District No. 340 and an MF-2(A) Multifamily District on the south corner of Bishop Avenue and Colorado at Ballard Avenue

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

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

Mayor Pro Tem Garcia moved to close the public hearing and follow the city plan commission for approval with the following changes:

- For financial institution with drive-in window, a maximum of two drive-in lanes, manned or unmanned, with a total of nine stacking spaces, must be provided.

and pass the ordinance.

Motion seconded by Councilmember Neumann and unanimously adopted.

Assigned ORDINANCE NO. 27275

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2110

Item 97: Zoning Case Z078-221(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-221(OTH), an application for and an ordinance granting an IR Industrial Research District on property zoned an MU-2 Mixed Use District with deed restrictions, on the east corner of Maple Avenue and Fielder Court, south of Mockingbird Lane

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27276

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2111

Item 98: Zoning Case Z078-224(JH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-224(JH), an application for and an ordinance granting a Planned Development District for LI Light Industrial District uses and a private electric generating plant use on property zoned an LI Light Industrial District and a CS Commercial Service District on the north side of Mountain Creek Parkway, west of South Merrifield Road

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27277

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2112

Item 99: Zoning Case Z078-225(WE)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-225(WE), an application for and an ordinance granting an MU-1 Mixed Use District on property zoned a CS Commercial Service District on the southeast line of Main Street, southwest of Peak Street

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27278

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2113

Item 100: Zoning Case Z078-226(WE)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

Councilmember Neumann requested that zoning consent item 100 be considered as an individual item. Mayor Leppert stated that zoning consent item 100 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

A public hearing was called on zoning case Z078-226(WE), an application for and an ordinance granting an amendment to, and expansion of, Specific Use Permit No. 1597 for mini-warehouse uses on property within the S-10 Subdistrict of the South Zone of Planned Development District No. 521 for Mixed Uses on the west side of Clark Road, south of Camp Wisdom Road

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

Joe Bowers, 1420 Winding Brook Circle, representing the applicant  
Mario Alvarado, 8426 Romanway Dr.

Councilmember Neumann 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.

Assigned ORDINANCE NO. 27279

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2114

Item 101: Zoning Case Z078-240(OTH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-240(OTH), an application for and an ordinance granting a new subdistrict on property zoned Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east corner of Hi Line Drive and Edison Street

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27280

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2115

Item 102: Zoning Case Z078-255(JH)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-255(JH), an application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-10(A) Single Family District on properties located on both sides of Prestonsire Lane between Preston Road and Tulane Street

(The staff and city plan commission recommended approval)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27281

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2116

Item 103: Zoning Case Z078-131 (JH) INDIVIDUAL

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

(The staff 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)

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

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

Wayne Smith, 927 Liberty St.  
Jeff Lumkes 911 Pavillion St.  
Adele Ichilian, 1337 Skiles St.  
Sharon Smith, 927 Liberty St.  
Bill Kotch, 3316 San Jacinto  
Melanie Wester, 3220 San Jacinto St., representing Bryan Place Homeowners Association  
Gary Mitchell, 908 Pavillon St.  
William Brown, 9538 Mossridge Circle  
Cotton Mendenhall, 832 Pavillion

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

William E. Cothrum, 900 Jackson St., representing the applicant  
Bill Woodard, 6336 Glennox Lane, the applicant  
Michael Cotton, 3603 Ross Ave.  
Allen Woodard, 1141 Stonewall St., representing Woodard Paint and Body Shop  
Dallas Cothrum, 900 Jackson St., representing the applicant  
Victoria Johnson, 14050 Overlook Lane, representing Woodard Paint and Body Shop



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

08-2116

Page 2

Councilmember Hunt moved to close the public hearing and follow staff recommendation to deny the application without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2117

Item 104: Zoning Case Z078-197 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z078-197 (OTH), an application for and an ordinance granting a Specific Use Permit 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 a CC Community Commercial Subdistrict within Planned Development District No. 595, on the east corner of Grand Avenue and Meadow Street, and an ordinance granting a P(A) Parking Subdistrict on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east side of Meadow Street, between Grand Avenue and Park Row Avenue

(The staff recommended approval of the Specific Use Permit request for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions; denial of the P(A) Parking District and city plan commission recommended approval of the Specific Use Permit request for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions; approval of the P(A) Parking Districts, subject to a site)

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

Councilmember Davis moved to close the public hearing and approve the ordinance with the following changes:

- 1) The specific use permit expires after 10 years, but is eligible for automatic renewal for additional five year periods.
- 2) The use may operate between 8:00 p.m. and 2:00 a.m., Monday through Sunday.

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

Assigned ORDINANCE NOS. 27282 AND 27283

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2118

Item 105: Zoning Case Z078-201 (JH) INDIVIDUAL

A public hearing was called on zoning case Z078-201 (JH), an application for a Planned Development District for CR uses and attended donation center use on property zoned a CR Community Retail District on the southwest side of Haskell Avenue, between Lafayette Street and Delano Place

(The staff recommended and city plan commission recommended denial)

Deleted on the addendum.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2119

Item 106: Zoning Case Z078-141 (RB) UNDER ADVISEMENT-INDIVIDUAL

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District Uses on property zoned an MU-2 Mixed Use District at the northeast corner of Greenville Avenue and Walnut Hill Lane

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

Note: This item was considered by the City Council at a public hearing on June 11, 2008, and was held under advisement until August 13, 2008, with the public hearing open.

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

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

Kirk Williams, representing the applicant

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 Mayor Pro Tem Garcia and unanimously adopted.

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2120

Item 107: Zoning Case Z078-200 (JH) UNDER ADVISEMENT-INDIVIDUAL

A public hearing to receive comments regarding 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)

Note: This item was considered by the City Council at a public hearing on June 25, 2008, and was taken under advisement until August 13, 2008, with the public hearing open.

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

David Haedge, 203 N. Rosemont Ave., representing Winnetka Heights Neighborhood Association  
Donna Lackey, 405 N. Winnetka Ave.

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

Paul Maute, 101 N. Montclair  
Adam Gates, 509 Winnetka, representing the owner

Councilmember Neumann moved to close the public hearing and deny the application without prejudice.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2121

Item 108: SPECIAL PROVISION SIGN DISTRICT- INDIVIDUAL

A public hearing to receive comments regarding a proposal for and an ordinance granting an amendment to the Deep Ellum/Near East Side Special Provision Sign District in an area generally bound by the DART Southeast Line to the north, Parry Avenue to the east, Interstate 30 and Second Avenue to the south and Interstate 45/US 75 to the southwest to renew and amend the "Wallscape Sign" provisions, which expired on June 1, 2008, that allow wallscape signs to be placed on buildings greater than 80 ft. in height

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

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

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

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

Marc Traynor, 2517 Springvale Dr., representing Deep Ellum Enrichment Project  
Sean Fitzgerald, 2814 Canton St., representing Deep Ellum Association  
Jim Rogers, 3208 Trevolle Place  
Katherine Owens, 7311 Coronado

Councilmember Medrano moved to close the public hearing and follow the city plan commission recommendation for approval, except change the sunset date to July 1, 2018 and pass the ordinance.

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

Assigned ORDINANCE NO. 27284

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2122

Item 109: SPECIAL PROVISION SIGN DISTRICT- INDIVIDUAL

A public hearing to receive comments regarding a proposal for and an ordinance granting an amendment to the Downtown Special Provision Sign District to renew and amend the "Supergraphic Sign" provisions, which expire on September 1, 2008, that allow supergraphic signs to be placed on certain buildings in an area generally bounded by Woodall Rodgers to the north, Interstate 45/US 75 to the east, Interstate 30 / R.L. Thornton to the south and Interstate 35 / Stemmons Freeway to the west

(The staff and city plan commission recommended approval to extend the supergraphic provisions for an additional five-year period)

No one addressed the city council regarding the item.

Deputy Mayor Pro Tem Caraway 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 Natinsky and unanimously adopted. (Neumann absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2123

Item 110: A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements, for Raydell Place from Schooldell Drive to South Barnett Avenue; and, at the close of the hearing, authorize an ordinance levying assessments - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 27285



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2124

Item 111: 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 CR Assets, Inc. and PC LH Land Partners, L.P. located near the intersection of Skillman Street and Walnut Hill Lane and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to CR Assets, Inc. and PC LH Land Partners, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The City Secretary read the following statement into the record:

"Pursuant to Section 51A-6.108 (g) (3) of the Dallas Development Code, the applicant or licensed professional engineer or professional geoscientist who is familiar with the application must be present and available to answer questions."

The following individuals addressed the city council regarding the item:

Scott Deatherage, representing the applicant

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

Motion seconded by Councilmember Medrano and unanimously adopted.

**(Note: John Miller, professional engineer and Karl Partner, professional geoscientist, was present but did not speak before the council.)**

Assigned ORDINANCE NO. 27286

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2125

Item 112: 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 JLO JV XII, L.P. located near the intersection of Harry Hines Boulevard and Walnut Hill Lane and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to JLO JV XII, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

(The staff recommended approval)

The City Secretary read the following statement into the record:

"Pursuant to Section 51A-6.108 (g) (3) of the Dallas Development Code, the applicant or licensed professional engineer or professional geoscientist who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council regarding the item:

Sonja Williams, professional engineer

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 27287

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2126

**FY 2007-08 Consolidated Plan  
Reprogramming Budget #4**

**Note:** Item Nos. 113 and 114  
must be considered collectively.

Item 113: A public hearing to receive comments on the final FY 2007-08 Consolidated Plan Reprogramming Budget #4 to reprogram \$1,000,000 of the Downtown Mortgage Assistance Program to the Mortgage Assistance Program - Financing: No cost consideration to the City

Item 114: Authorize adoption of the final FY 2007-08 Consolidated Plan Reprogramming Budget #4 to reprogram \$1,000,000 of the Downtown Mortgage Assistance Program to the Mortgage Assistance Program - Not to exceed \$1,000,000 - Financing: 2006-07 Community Development Grant Funds

No one addressed the city council regarding the item.

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

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2127

Item 115: A public hearing 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; and, at the close of the hearing, consideration of a resolution authorizing the use - Estimated Revenue: \$4,500

No one addressed the city council regarding the item.

Councilmember Atkins moved to close the public hearing and approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2128

Item 116: A public hearing to receive comments regarding an application for the closure of Whitehaven Drive at the alley south of Lake Gardens Drive to through vehicular traffic; and, at the close of hearing, consideration of a resolution directing the City Manager to work with the applicant to complete the closure process - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Darrell Wood, 10432 Coleridge, representing Eastwood Homeowners Association  
Andrea Kraus, 10222 Lake Gardens Drive, representing Residents of Lake Garden Drive

Councilmember Kadane moved to close the public hearing, approve the resolution endorsing closure of Whitehaven Drive at the alley to through vehicular traffic and in addition that the closure design would also eliminate bicycle, pedestrian access subject to a re-balloting of the neighborhood required by the Street closure policy.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2129

Addendum addition 1: Authorize a Chapter 380 economic development grant agreement with AT&T Inc. and/or its subsidiary companies in consideration of the relocation of AT&T's corporate headquarters and its company owned aircraft to the City of Dallas - Not to exceed \$5,000,000 - Financing: Public/Private Partnership Program Funds (subject to annual appropriations)

Councilmember Rasansky requested that addendum addition consent agenda item 1 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 1 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 1 was brought up for consideration.

Councilmember Rasansky 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 Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2130

Addendum addition 2: Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2008 through August 31, 2009 - Not to exceed \$427,856 - Financing: Current Funds \$35,654 (\$392,202 subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2131

Addendum addition 3: Authorize **(1)** an amendment to the service contract with Enterprise Community Partners, Inc. for the Mortgage Assistance Program adding \$1,000,000 of Community Development Grant funds subject to final approval on August 13, 2008; **(2)** an amendment to the Mortgage Assistance Program Statement under the subheading of Downtown Mortgage Assistance Program to allow for low to moderate income homeownership and assistance to be provided in an amount up to 50% of the sales price, not to exceed \$100,000; and, **(3)** an amendment to the Mortgage Assistance Program Statement under the subheading of Enterprise Homeownership Partners in Dallas to allow for assisted homes located anywhere within the Dallas city limits and to change subsidy amounts and terms - \$1,000,000 - Financing: 2006-07 Community Development Grant Funds

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.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Atkins and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2132

Addendum addition 4: Authorize annual adjustments to appropriations for the 2006-07 fiscal year for year-end close - Financing: No cost consideration to the City

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

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

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2133

Addendum addition 5:           Zoning Case Z078-237(RB)

The consent zoning docket, consisting of agenda items 82-102, was presented for consideration.

A public hearing was called on zoning case Z078-237(RB), an application for and an ordinance granting a Planned Development District for a Private electrical generating plant and A(A) Agricultural District Uses on property zoned an A(A) Agricultural District for an internal parcel located northwest of the intersection of Jordan Valley Road and Foothill 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.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27288

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 13, 2008

EXHIBIT C

**“CORRECTION”**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 13, 2008

08-2120

Item 107: Zoning Case Z078-200 (JH) UNDER ADVISEMENT-INDIVIDUAL

A public hearing to receive comments regarding 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)

Note: This item was considered by the City Council at a public hearing on June 25, 2008, and was taken under advisement until August 13, 2008, with the public hearing open.

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

Paul Maute, 101 N. Montclair  
David Haedge, 203 N. Rosemont Ave., representing Winnetka Heights Neighborhood Association  
Donna Lackey, 405 N. Winnetka Ave.

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

Adam Gates, 509 Winnetka, representing the owner

Councilmember Neumann moved to close the public hearing and deny the application without prejudice.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.