

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 11, 2010

10-1930  
VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [14] Leppert, Caraway (\*9:22 a.m.), Medrano, Jasso, Neumann, Salazar (\*9:14 a.m.), Davis (\*9:05 a.m.), Atkins (\*9:06 a.m.), Kadane, Allen, Koop, Natinsky, Margolin, Hunt (\*9:22 a.m.)

ABSENT: [1] Hill

The meeting was called to order at 9:03 a.m.

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

The invocation was given by Robert Price, Reverend, Mt. Zion Baptist Church.

Councilmember Jasso led the pledge of allegiance.

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

After all business properly brought before the city council had been considered, the city council adjourned at 4:53 p.m.

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Mayor

ATTEST:

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Assistant City Secretary

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 11, 2010

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 11, 2010

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1931

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: Martha T. Blaine, 10147 Timber Trl.  
REPRESENTING: Community Council of Greater Dallas  
SUBJECT: Senior Medical Transportation Program

SPEAKER: Rich Sheridan, 3022 Forest Ln.  
REPRESENTING: Some Citizens  
SUBJECT: City billboards; Homeless center/bridge

SPEAKER: Trini Garza, 2235 W. Colorado Blvd.  
REPRESENTING: Senior Affairs Commission  
SUBJECT: City budget

SPEAKER: Ralsteine Williams, 6707 Talbot Pkwy.  
SUBJECT: Budget

SPEAKER: Barbara Barbee, 303 N. Barnett Ave.  
REPRESENTING: Friends of Oak Cliff Parks  
SUBJECT: Budget cuts for Park Dept.

**OPEN MICROPHONE – END OF MEETING**

SPEAKER: Jearldine McDaniel, 2600 Sylvan Ave.  
SUBJECT: Senior issues

SPEAKER: Phyllis Guest, 7640 W. Greenway Blvd.  
SUBJECT: Safer Dallas/Better Dallas DOORS project

SPEAKER: Leslie Allen Davis, 3035 E. Ledbetter Dr.  
SUBJECT: Change

**OPEN MICROPHONE – END OF MEETING**

(Continue)

SPEAKER: Max Hightower, 6937 La Vista Dr.  
SUBJECT: Building Inspection Dept.

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Arrogance, racist, unjust with greed

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: RSR lead/ DHA/ EPA

SPEAKER: Gwain Wooten, 1000 Grigsby Ave.  
SUBJECT: “It’s not who’s driving the car, it’s who wrecked it.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1932

Item 1: Approval of Minutes of the June 23, 2010 City Council Meeting

Councilmember Neumann moved to approve the minutes.

Motion seconded by Mayor Pro Tem Caraway and unanimously adopted. (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1933

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-65 and addendum addition consent agenda items 1-2, was presented for consideration.

Mayor Leppert requested that consent agenda item 54 be considered as an individual item. Mayor Leppert stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

Councilmember Neumann requested that consent agenda item 9 and 31 be considered as an individual item. Mayor Leppert stated that consent agenda item 9 and 31 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Atkins' requested that consent agenda item 35 and 58 be considered as an individual item. Mayor Leppert stated that consent agenda item 35 and 58 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Mayor Pro Tem Caraway moved to approve all items on the consent agenda with the exception of consent agenda items 9, 31, 35, 54 and 58 which would be considered later in the meeting.

Motion seconded by Councilmember Atkins and unanimously adopted. (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1934

Item 2: Authorize a two-year service contract for window glass replacement services and repairs - Stafford Juneau Holdings, Inc. dba B.J. Glass Co., lowest responsible bidder of three - Not to exceed \$205,489 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1935

Item 3: Authorize a three-year service contract for grounds maintenance at Dallas Fire-Rescue, Housing/Community Services and Public Works & Transportation properties - Forest Hills Lawn Service, Inc. in the amount of \$133,083 and Terrence D. Smith dba T. Smith's Lawn Service in the amount of \$24,764, lowest responsible bidders of five - Total not to exceed \$157,847 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1936

Item 4: Authorize a two-year master agreement for specialized equipment rental - Four Seasons Equipment, Inc. in the amount of \$748,200, United Equipment Rentals Gulf, L.P. in the amount of \$325,942, ROMCO Equipment Co. in the amount of \$307,560, Holt Texas Ltd. in the amount of \$273,240 and Global Rental Co. in the amount of \$259,800, lowest responsible bidders of nine - Total not to exceed \$1,914,742 - Financing: Current Funds (\$259,800) and Water Utilities Current Funds (\$1,654,942)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1937

Item 5: Authorize a three-year master agreement for traffic signal poles, mast arms, bases and foundations - Traffco Products, LLC in the amount of \$236,285, Component Products, Inc. in the amount of \$74,500 and Traffic Parts, Inc. in the amount of \$42,750, lowest responsible bidders of four - Total not to exceed \$353,535 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1938

Item 6: Authorize the sale of two helicopter blades in the amount of \$30,250 and one helicopter engine assembly in the amount of \$40,250, sold at public auction, on May 28, 2010 to Lance Aviation, Inc. - Revenue: \$70,500

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1939

Item 7: Authorize a three-year master agreement for hydrated lime for stabilization of soil - Simba Industries, lowest responsible bidder of four - Not to exceed \$270,818 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1940

Item 8: Authorize a four-year master agreement for law enforcement equipment accessories for the Dallas Police Department - GT Distributors, Inc. in the amount of \$2,118,452 and C & G Police Supply dba C & G Wholesale in the amount of \$22,400, lowest responsible bidders of six - Total not to exceed \$2,140,852 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1941

Item 9: Authorize the purchase of nine fire pumpers, three aerial ladder trucks, one haz-mat response vehicle, two battalion/deputy chief vehicles, two breathing air support vehicles and four personnel vehicles for Dallas Fire-Rescue - Metro Fire Apparatus Specialists, Inc. in the amount of \$7,253,000, Martin Apparatus, Inc. in the amount of \$856,672 and Philpott Motors Ltd. in the amount of \$260,971, through the Houston-Galveston Area Council of Governments, a Texas Local Government Purchasing Cooperative - Total not to exceed \$8,370,643 - Financing: 2010 Certificates of Obligation

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

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

Councilmember Kadane moved to approve the item.

Motion seconded by Councilmember Nuemann and unanimously adopted. (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1942

Item 10: Authorize settlement of the lawsuit styled Alvin Nathaniel High, Jr. v. City of Dallas, Cause No. 09-07276-E - Not to exceed \$7,500 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1943

Item 11: Authorize settlement of the lawsuit styled Benito Gomez Lares and Gaudencio Martinez v. City of Dallas, Cause No. 09-06371-C - Not to exceed \$20,000 -  
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1944

Item 12: Authorize settlement of the lawsuit styled Jack Jones v. City of Dallas, Cause No. 09-14436-B - Not to exceed \$30,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1945

Item 13: Authorize a professional services contract with the law firm of Munck Carter, LLP for legal services necessary to represent the City in the lawsuit styled Leanne Siri v. The City of Dallas, Civil Action No. 3:10-CV-0036-M - Not to exceed \$600,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1946

Item 14: Authorize amendments to the Development Agreement with Santa Fe IV Hotel LP for the redevelopment of 1033 Young Street to: **(1)** adjust the valuation year to the earlier of: **(a)** tax year 2013, or **(b)** the year in which the TIF Funding becomes available for project reimbursement; **(2)** update the listing of projects to be funded; and **(3)** update and replace Exhibit F to reflect the revisions made to the administration of future available TIF revenues in accordance with the Modified Queue System approved by the Downtown Connection TIF District Board of Directors on September 30, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1947

Item 15: Authorize a public hearing to be held on August 25, 2010 to receive comments concerning the City of Dallas's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303 Texas Government Code as revised effective August 11, 2007, in order to allow the nomination of DRS Technologies located at 13544 & 13532 Central Expressway as an Enterprise Zone Project - Financing: No cost consideration to the City

Mayor Leppert stated for the record that the Agenda Information Sheet and Resolution be amended to change the company's name from DRS Technologies to DRS RSTA, Inc.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1948

Item 16: Authorize a professional services contract with Conley Group, Inc. for engineering design of mechanical, electrical and drainage systems repairs and restoration at the Dallas Museum of Art Sculpture Garden water features and walkways to the Dallas Museum of Art located at 1717 North Harwood Street - Not to exceed \$219,628 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1949

Item 17: Ratify an increase in the service contract with Alarm Security Group, LLC for emergency repairs to the fire alarm panel to prevent service interruption at the J. Erik Jonsson Central Library located at 1515 Young Street - Not to exceed \$128,286, from \$782,438 to \$910,724 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1950

Item 18: Authorize a design-build contract with Schneider Electric Buildings Americas, Inc. to audit building lighting, lighting controls, heating, ventilation, and air conditioning systems, and provide design and construction management services to implement high-efficiency gas, electric, and water conservation measures at ten City facilities (list attached) - Not to exceed \$320,000 - Financing: U. S. Department of Energy Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1951

Item 19: Authorize a construction contract with Ever Construction Corporation, lowest responsible bidder of six, for roofing, heating, ventilation and air conditioning improvements and building repairs at the Majestic Theatre located at 1925 Elm Street - Not to exceed \$1,215,652 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1952

Item 20: Authorize the City Manager to enter into a new contract with the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) to: **(1)** incorporate all required provisions of the existing contract, as amended; **(2)** provide that the City may refer up to 300 parcels of real property intended for acquisition by the Land Bank for filing of tax lawsuits by March 31<sup>st</sup> of each year; **(3)** provide pro bono legal services to prosecute the lawsuits during the term of the contract; **(4)** allow for the Land Bank to collect an administrative fee of \$1,000 per lot, upon conveyance to a qualified developer; for each Land Bank lot that was acquired through the Neighborhood Stabilization Program (NSP); and **(5)** add requirements to the contract requiring the Land Bank to comply with all NSP rules and regulations, as applicable - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1953

Item 21: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by South Dallas Fair Park/Innercity Community Development Corporation for the construction of affordable houses; **(2)** the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to South Dallas Fair Park/Innercity Community Development Corporation; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the 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 11, 2010

10-1954

Item 22: 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 2 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, pre-judgment non-tax liens not included in the 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 11, 2010

10-1955

Item 23: 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 4 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, pre-judgment non-tax liens not included in the 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 11, 2010

10-1956

Item 24: 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 21 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, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1957

Item 25: Authorize **(1)** a public hearing to be held October 13, 2010 to receive comments on the proposed City of Dallas FY 2010-11 Urban Land Bank Demonstration Program Plan and at the close of the public hearing, **(2)** consideration of approval of the City of Dallas FY 2010-11 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 11, 2010

10-1958

Item 26: Authorize **(1)** preliminary adoption of Substantial Amendment No. 2 to the FY 2008-09 Consolidated Plan Budget for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) funded through the American Recovery and Re-Investment Act to reprogram \$858,875 of HPRP funds from the Financial Assistance (\$717,145) and Housing Relocation and Stabilization (\$141,730) budget categories to: **(a)** allocate \$56,448 to the Data Collection and Management category; **(b)** allocate \$41,730 to the Housing Relocation and Stabilization category for the Outreach and Engagement/Case Management; **(c)** allocate \$213,970 to the Homeless Services Program under the Financial Assistance category; and **(d)** allocate \$546,727 to the contract with Central Dallas Ministries funded under the Homeless Prevention category; and **(2)** a public hearing to be held on September 22, 2010 to receive comments on Substantial Amendment No. 2 to the FY 2008-09 Consolidated Plan Budget for the HPRP - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1959

Item 27: Authorize an amendment to the lease agreement with MacArthur Center Levy, LLC. to amend the current leased square footage of approximately 5,055 to include an additional approximately 1,799 square feet of office space for a total of approximately 6,854 square feet of space located at 1111 West Airport Freeway, Suite 237, Irving, Texas for the continued use as a Women, Infants and Children Clinic for the period September 1, 2010 through August 31, 2019, plus additional rental for leasehold improvements for the expansion space in an amount not to exceed \$70,265 (additional base monthly rental cost during term \$159,661) - Total not to exceed \$229,926 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1960

Item 28: Authorize the third amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2009 through September 30, 2010 - Not to exceed \$320,000, from \$15,884,582 to \$16,204,582 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1961

Item 29: Authorize the City's continued participation in the Steering Committee of Cities served by Oncor in hearings before the Public Utilities Commission of Texas concerning electric restructuring and rates to be charged by Oncor Electric Delivery - Not to exceed \$130,635 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1962

Item 30: Authorize Supplemental Agreement No. 2 to the contract with Diversified Utility Consultants, Inc. for expert consulting services and testimony in matters related to the statement of intent of Atmos Energy Corp. Mid-Tex Division to change rates in the City of Dallas, filed November 5, 2008 - Not to exceed \$85,000, from \$175,000 to \$260,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1963

Item 31: Authorize **(1)** preliminary adoption of Substantial Amendment No. 6 to amend the FY 2008-2013 Consolidated Plan for U.S. Dept of Housing and Urban Development Funds to incorporate additional City priority needs and resources, including **(a)** the production, acquisition or rehabilitation of rental units for low and moderate income renters; **(b)** micro-loans for the establishment, stabilization and expansion of microenterprises; and **(c)** up to \$75,000,000 in Section 108 funds as potential resources to address identified needs; and **(2)** a public hearing to be held on September 8, 2010 to receive comments on Substantial Amendment No. 6 - Financing: No cost consideration to the City

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

Later in the meeting, consent agenda item 31 was brought up for consideration.

Councilmember Atkins moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1964

Item 32: Authorize a public hearing to be held on August 25, 2010 to receive comments on the proposed FY 2010-11 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 11, 2010

10-1965

Item 33: Authorize **(1)** an application for and acceptance of the 2009 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Office of Justice Programs for partial reimbursement of approved bulletproof vest purchases for the period April 1, 2009, through September 30, 2011; and **(2)** execution of the grant agreement - Not to exceed \$49,953 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1966

Item 34: Authorize an additional payment to the Texas Department of Transportation for the City's share of construction costs for paving and drainage improvements on Elam Road from St. Augustine Road to Acres Drive - Not to exceed \$213,254 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1967

Item 35: Authorize a contract with Rebcon, Inc., lowest responsible bidder of six, for the construction of street paving, storm drainage, water and wastewater adjustments for intersection improvements on Ferguson Road at Shiloh Road/Maylee Boulevard and Mockingbird Lane at Williamson Road - Not to exceed \$662,709 - Financing: 2003 Bond Funds (\$656,109) and Water Utilities Capital Construction Funds (\$6,600)

Councilmember Atkins requested that consent agenda item 35 be considered as an individual item. Mayor Leppert stated that consent agenda item 35 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, consent agenda item 35 was brought up for consideration.

Councilmember Atkins moved to defer the item until the August 25, 2010, voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar.

After discussion, Councilmember Atkins withdrew his motion.

Councilmember Salazar, who seconded the motion, also withdrew his motion.

Councilmember Kadane moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1968

Item 36: Authorize a construction contract with Texas Standard Construction, Ltd, lowest responsible bidder of four, for the construction of erosion control improvements for Erosion Control Group 06-800 (list attached) - Not to exceed \$471,773 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1969

Item 37: Authorize an increase in the contract with Texas Standard Construction, Ltd. for the construction of street paving and storm drainage improvements on Stedman Drive from existing concrete pavement north of Stedman Circle to Davenport Road - Not to exceed \$60,279, from \$241,186 to \$301,465 - Financing: 2003 Bond Funds (\$3,145) and Water Utilities Capital Improvement Funds (\$57,134)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1970

Item 38: Authorize Supplemental Agreement No. 1 to the professional services contract with Huitt-Zollars, Inc. for additional engineering and survey services for a thoroughfare project on West Commerce Street from Fort Worth Avenue to Hampton Road - Not to exceed \$45,650, from \$844,525 to \$890,175 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1971

Item 39: Authorize **(1)** Supplemental Agreement No. 2 to the professional services contract with HNTB Corporation to provide additional engineering design services for Phase VI of the Katy Trail from Ellsworth Street to Worcola Street in an amount not to exceed \$506,734, from \$1,375,360 to \$1,882,094; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$405,387; and **(3)** an increase in appropriations in the amount of \$405,387 in the Capital Projects Reimbursement Fund - Total not to exceed \$506,734, from \$1,375,360 to \$1,882,094 - Financing: 1998 Bond Funds (\$101,347) and Capital Projects Reimbursement Funds (\$405,387 to be reimbursed by TxDOT)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1972

Item 40: An ordinance amending Chapter 18 of the Dallas City Code to: **(1)** eliminate the cap on the maximum annual tonnage of solid waste for landfill disposal contracts; and **(2)** adjust the maximum discount for the five-year contract from seventeen percent to twenty-six percent - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27934

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1973

Item 41: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Oakwood Properties of approximately 7,474 square feet of land located near the intersection of Prater Road and Sewell Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$14,449 (\$12,332 plus closing costs not to exceed \$2,117) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1974

Item 42: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charlie Herron of approximately 7,474 square feet of land improved with a single-family dwelling located near the intersection of Prater Road and Sewell Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$66,266 (\$63,797 plus closing costs not to exceed \$2,469) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1975

Item 43: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mark C. Jacobs and Leslie D. Jacobs of approximately 45,835 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$73,180 (\$70,662 plus closing costs not to exceed \$2,518) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1976

Item 44: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Melinda Sue Ayres Howard, Lillian Elaine Ayres Bargman and R. Jack Ayres, Jr. of approximately 177,013 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$322,504 (\$318,623 plus closing costs not to exceed \$3,881) - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1977

Item 45: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Must-Bon Realty Company of approximately 34,605 square feet of land improved with an office warehouse located near the intersection of Adair and Race Streets - Not to exceed \$620,000 (\$615,000 plus closing cost not to exceed \$5,000) - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1978

Item 46: Authorize moving expense and rental assistance payments for Betty Reyes and Roger Guardiola in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1008 LaSalle Drive for future City facilities - Not to exceed \$20,457 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1979

Item 47: Authorize settlement in lieu of proceeding with condemnation of approximately 83,295 square feet of land improved with a single-family dwelling from Barbara Ann Jackson located in Dallas County for the Lake Tawakoni 144-inch Pipeline - Not to exceed \$264,743 (\$258,243 plus closing costs not to exceed \$6,500) - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1980

Item 48: A resolution authorizing conveyance of four wastewater easements and five temporary construction easements containing a total of approximately 228,657 square feet of land to the City of Garland for the construction, maintenance and use of wastewater facilities across City-owned land on the west shoreline of Lake Ray Hubbard, near its intersection with IH-30 - Revenue: \$53,452

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1981

Item 49: Authorize a third amendment to the lease agreement with Dallas Children's Advocacy Center to extend the lease for an additional one-year period for the continued use of approximately 3,731 square feet of office space and five parking spaces located at 3611 Swiss Avenue near its intersection with Gordon Street by the Police Department's Youth and Family Support Division for the period January 1, 2011 through December 31, 2011 - Not to exceed \$49,250 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1982

Item 50: Authorize a fourth amendment to the lease agreement with Galt II, L.P., a Texas limited partnership to extend the lease for an additional three-year period for the continued use of approximately 1,121 square feet of office space located at 8500 Stemmons Freeway for Police Department office space for the period September 1, 2010 through August 31, 2013 - Not to exceed \$53,809 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1983

Item 51: Authorize the quitclaim of 26 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$279,208

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1984

Item 52: Authorize a Programmatic Agreement with the Texas Historical Commission and the Advisory Council on Historic Preservation that stipulates the procedures to be followed by the City of Dallas to satisfy its Section 106 responsibilities - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1985

Item 53: An ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District fronting on both the south line of IH 20, north of Rylie Crest Road, west of Seagoville Road - Z089-277 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27935

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1986

Item 54: An ordinance granting renewal of a private license to Baylor Health Care System for the use of a total of approximately 783 square feet of land to maintain existing subsurface conduits in two alleys, Shreveport Alley rights-of-way, Washington Avenue and Race, Elm, and Worth Streets located near the intersection of Gaston Avenue and Hall Street - Revenue: \$1,000 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Later in the meeting, Mayor Pro Tem Caraway moved to reconsider the approval of agenda item 54, as part of the consent agenda and that agenda item 54 be removed from the consent agenda to be considered as an individual item.

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

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

Councilmember Atkins moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Leppert abstain; Hill absent)

Assigned ORDINANCE NO. 27936

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1987

Item 55: An ordinance amending Ordinance No. 27620, which abandoned portions of Avenue B, Fiji and Danel Streets and easements located near the intersection of Compton Street and Fran Way to Sphinx Development Corporation, to extend the final replat requirement from one year to sixteen months - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27937

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1988

Item 56: An ordinance abandoning a drainage easement to Richard Tannen and Bette Tannen, the abutting owners, containing approximately 665 square feet of land, located near the intersection of Woodmark Court and Hillcrest Road - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27938

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1989

Item 57: An ordinance abandoning a portion of Foreman Street to HFLP, Ltd., the abutting owner, containing approximately 23,665 square feet of land located near the intersection of Scyene Road and Dixon Avenue and authorizing the quitclaim - Revenue: \$17,750 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 27939

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1990

Item 58: Authorize a construction contract with Northstar Construction, Inc., lowest responsible bidder of eight, for the construction of a concrete multipurpose trail, decomposed granite trail, installation of a prefabricated bridge, and other miscellaneous items necessary to complete the project for the Trinity Trails, Phase 2 and the Rochester Park Improvement Project - Not to exceed \$2,322,000 - Financing: 1998 Bond Funds (\$1,867,444) and 2003 Certificates of Obligation (\$454,556)

Councilmember Atkins requested that consent agenda item 58 be considered as an individual item. Mayor Leppert stated that consent agenda item 58 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

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

Councilmember Atkins moved to approve the item

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1991

Item 59: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 10.379 acres of unimproved land located on the west bank of the Trinity River between Loop 12 and IH 20 for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$36,418 (\$33,218 plus closing costs not to exceed \$3,200) - Financing: U.S. Army Corps of Engineers Project Cooperation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1992

Item 60: Authorize an Interlocal Agreement with North Texas Tollway Authority for the relocation and replacement of existing water and wastewater mains in conjunction with North Texas Tollway Authority's proposed improvements at the Mockingbird Lane, Northwest Highway, and Royal Lane toll plazas along the Dallas North Tollway - Not to exceed \$181,965 - Financing: Water Utilities Capital Improvement Funds (\$175,890) and Water Utilities Capital Construction Funds (\$6,075)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1993

Item 61: Authorize a contract for the construction of the East Side Water Treatment Plant improvements at Transfer Pump Stations 1 and 2 - Archer Western Contractors, Ltd., lowest responsible bidder of three - Not to exceed \$25,499,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1994

Item 62: Authorize a professional services contract with Alan Plummer Associates, Inc. to provide engineering services for Phase II effluent filter modifications at the Southside Wastewater Treatment Plant - Not to exceed \$595,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1995

Item 63: Authorize a professional services contract with HDR Engineering, Inc. to provide engineering services for improvements to the Iron Bridge Pump Station - Not to exceed \$4,139,885 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1996

Item 64: Authorize an increase in the contract with Archer Western Contractors, Ltd. for modifications to the existing 69 kV electrical substation and switchgear at the Southside Wastewater Treatment Plant - Not to exceed \$197,735, from \$6,354,000 to \$6,551,735 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1997

Item 65: 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 birth certificate printed for the period September 1, 2010 through August 31, 2012 - Not to exceed \$35,000 annually for a total not to exceed \$70,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1998

Item 66: 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)

No appointments made to boards and commissions.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-1999

Item 67: Authorize a historic preservation tax exemption for the Nurses Building located at 3819 (3849) Maple Avenue for a ten-year period on 100% of the land and structure value - Revenue: First year tax revenue foregone estimated at \$130,701 (Estimated revenue foregone for ten years is \$1,307,010)

Deputy Mayor Pro Tem Medrano moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Neumann voting "No." (Caraway, Davis absent when vote taken; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2000

Item 68: Authorize a Landscape Maintenance Agreement with the Texas Department of Transportation for the City to provide supplemental mowing in the parkways and maintain median landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within Texas Department of Transportation right-of-way - Financing: No cost consideration to the City

Councilmember Hunt moved to defer the item no longer than two months.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2001

Item 69: An ordinance amending Section 43-136 of Chapter 43 of the Dallas City Code to authorize the Director of Public Works and Transportation to promulgate regulations and operational standards governing the shared use of the public right-of-way by transportation uses (including streetcars) and public service providers - Financing: No cost consideration to the City

Councilmember Koop moved to defer the item no longer than four months.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2002

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 70: Authorize a public hearing to be held on August 25, 2010 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 74 located at 4525 Joseph Hardin Drive, Dallas, Texas; and at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 74; **(2)** a 60 percent business personal property tax abatement for five years with Consolidated Container Company and Weingarten Realty Investors; and **(3)** a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Consolidated Container Company in an amount up to \$25,000 associated with retaining and expanding the company's operations in Southern Dallas - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2003

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 71: Authorize an economic development grant agreement with Cambium Learning Group, Inc. related to the relocation of its regional headquarters to 17855 North Dallas Parkway, Dallas, Texas 75287, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program - Not to exceed \$100,000 - Financing: Public/Private Partnership Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

Councilmember Natinsky moved to approve the item.

Motion seconded by Mayor Pro Tem Medrano and Councilmember Atkins and unanimously adopted. (Jasso, Salazar, Davis absent when vote taken; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2004

DESIGNATED PUBLIC SUBSIDY MATTERS

Item 72: Authorize the reconstruction on-site of six homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 4216 Aztec Drive in the amount of \$93,400, 1945 Kraft Street in the amount of \$93,400; 1926 Arizona Avenue in the amount of \$93,400, 1627 Exeter Avenue in the amount of \$93,400, 2619 Stephenson Drive in the amount of \$93,400 and 1847 Life Avenue in the amount of \$93,400 - Total not to exceed \$560,400 - Financing: 2008-09 Community Development Block Grant Funds

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Davis and Councilmember Natinsky and unanimously adopted. (Caraway absent when vote taken; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2005

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 73–76, was presented for consideration.

Agenda item 76 was removed from the consent zoning docket, to be considered as an individual item.

Agenda item 73 Zoning Case Z090-140(RB)  
Agenda item 74 Zoning Case Z090-176(RB)  
Agenda item 75 Zoning Case Z090-189(MG)  
~~Agenda item 76 Zoning Case Z090-196(MG)~~

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

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

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

Motion seconded by Councilmember Kadane and unanimously adopted. (Jasso, Salazar, Davis absent when vote taken; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2006

Item 73: Zoning Case Z090-140 (RB)

The consent zoning docket, consisting of agenda items 73–76, was presented for consideration.

A public hearing was called on zoning case Z090-140 (RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1765 for a Recycling buy-back center use on property zoned an IM Industrial Manufacturing District on the northwest line of Hickory Street, east of Malcolm X Boulevard

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 27940



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2007

Item 74: Zoning Case Z090-176 (RB)

The consent zoning docket, consisting of agenda items 73–76, was presented for consideration.

A public hearing was called on zoning case Z090-176(RB), an application for and an ordinance granting an amendment to Specific Use Permit No. 1663 for a Transit passenger station or transfer center on property zoned an IR Industrial Research District, on the northeast corner of Denton Drive and Walnut Hill Lane

(The staff and city plan commission recommended Approval, 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. 27941

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2008

Item 75: Zoning Case Z090-189 (MG)

The consent zoning docket, consisting of agenda items 73-76, was presented for consideration.

A public hearing was called on zoning case Z090-189 (MG), an application for and an ordinance granting a Planned Development District for a public school athletic field and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District and a TH-3(A) Town House District on the northeast corner of 12th Street and Franklin Street

(The staff and city plan commission recommended Approval, subject to development plan/landscape 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. 27942

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2009

Item 76: Zoning Case Z090-196 (OTH)

The consent zoning docket, consisting of agenda items 73-76, was presented for consideration.

Councilmember Natinsky requested that zoning consent item 76 be considered as an individual item. Mayor Leppert stated that zoning consent item 76 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

A public hearing was called on zoning case Z090-196 (OTH), an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1724 for an Animal clinic without outside run, limited to boarding and grooming on property zoned Tract 6A within Planned Development District No. 170, on the west line of Preston Road, south of Lloyd Drive

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

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

Councilmember Natinsky moved to continue the public hearing and remand back to the city plan commission due to improper notices sent out.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2010

Item 77: Zoning Case Z090-112 (WE) INDIVIDUAL

Theresa O'Donnell, director of sustainable development and construction , reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of sustainable development and construction.

A public hearing was called on zoning case Z090-112 (WE), an application for an IM Industrial Manufacturing District on property zoned a CR Community Retail District and a Specific Use Permit for a metal salvage facility on property zoned a CR Community Retail District and an IM Industrial Manufacturing District generally bounded by Cedar Crest Boulevard, Pontiac Avenue and Childs Street

(The staff recommended Denial without prejudice and city plan commission recommended Denial)

Deputy Mayor Pro Tem Medrano requested the city council meet in executive session to confer with the city attorney.

Mayor Leppert, at the request of Mayor Pro Tem Medrano, called a recess of the city council meeting at 2:10 p.m. as authorized by Section 551.071, Consultations with Attorney, of the Texas Open Meetings Act to confer with the City Attorney.

Mayor Leppert reconvened the city council meeting after the executive session at 2:56 p.m.

No other matters were discussed during the executive session.

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

Gwain Wooten, 1000 Grigsby Ave.

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

Herbie K. Johnson, 1547 Bonnie View Rd, representing Cedar Crest Neighborhood Association  
Phillip E. Gipson, 1917 Lanark Ave., representing Cedar Crest Neighborhood Association  
Maude A. Small, 1902 Danube Dr.  
Claudia D. Fowler, 4531 Solar Ln., representing JOPPA South Central Coalition  
Micah Phillips, 2349 Cedar Crest Blvd., representing Cedar Crest Coalition  
Leslie Allen Davis, 3035 E. Ledbetter Dr.  
Janet Long, 1942 Cedar Crest Blvd., representing Cedar Crest Neighborhood Association  
Jonnie Gipson, 1917 Lanark Ave., representing Cedar Crest Neighborhood Association  
Ramona McCain, 1911 Lanark Ave, representing Cedar Crest Neighborhood Association

Deputy Mayor Pro Tem Medrano moved to close the public hearing and deny.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2011

Item 78: Zoning Case Z090-166 (WE) INDIVIDUAL

A public hearing was called on zoning case Z090-166 (OTH), an application for and an ordinance granting a Specific Use Permit for Industrial (inside) potentially incompatible use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard

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

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

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

Walker Hengst, 1415 Main St., representing PB & J Metals  
Robert McKenzie, 4211 Wiley College Dr., Applicant

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

Motion seconded by Councilmember Medrano and Jasso and unanimously adopted. (Hunt absent when vote taken; Hill absent)

Assigned ORDINANCE NO. 27943

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2012

Item 79: Zoning Case Z089-219 (DC) DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing to receive comments regarding a City Council authorized hearing to determine the proper zoning on property zoned R-5(A) Single Family District, D(A) Duplex District, TH-3(A) Townhouse District, MF-2(A) Multifamily District with Historic Overlay No. 123 on a portion, Specific Use Permit No. 814 on a portion and Specific Use Permit No. 1254 on a portion, MU-1 Mixed Use District, LO-1 Limited Office District with a D Dry Liquor Control Overlay on a portion, NS(A) Neighborhood Service District, CR Community Retail District with a D Dry Liquor Control Overlay on a portion, CS Commercial Service District with deed restrictions on a portion, P(A) Parking District, portions of Tracts 1, 2, and 3 and Tracts 3a and 3b within Planned Development District No. 87 with Historic Overlay No. 15, a portion of Tract 1A and all of Tract 2A within Planned Development District No. 160 with Historic Overlay No. 59 on a portion and Specific Use Permit No. 1733 on a portion, Tract 2 within Planned Development District No. 340, portions of the MCO and the LCO Subdistricts within Planned Development District No. 631 with Specific Use Permit No. 1098 on a portion and a D Dry Liquor Control Overlay on a portion, Planned Development District No. 768, all of Subarea 2 and a portion of Subarea 3 within Conservation District No. 1, Conservation District No. 7 with Historic Overlay No. 95 on a portion and a D Dry Liquor Control Overlay on a portion generally along both side of Davis Street from Plymouth Road to Zang Boulevard; generally including properties located north of Davis Street between Polk Street and Tyler Street; properties located north of Davis Street between Van Buren Avenue and Cedar Hill Avenue and south of 5<sup>th</sup> Street; properties located north of Davis Street on both sides of Bishop Avenue to south of Colorado Boulevard; properties located south of Davis Street between Plymouth Road and Hampton Road north of Jefferson Boulevard and properties located south of Davis Street between Polk Street and Zang Boulevard north of 10<sup>th</sup> Street (including properties fronting the south side of 10<sup>th</sup> Street) with consideration given to appropriate zoning for the area including use, development standards, parking, landscape, sign, and other appropriate regulations that protect and enhance existing neighborhoods with consideration given to the land use recommendations contained in the Bishop/Davis Land Use and Zoning Study done by GFF Planning and an ordinance granting a Planned Development District for mixed uses, an ordinance amending Subarea 2 and a portion of Subarea 3 within Conservation District No. 1, an ordinance amending Conservation District No. 7, an ordinance amending Planned Development District No. 87 with Historic Overlay No. 15, an ordinance amending Planned Development District No. 160 to remove a portion of Tract 1A and all of Tract 2A,

an ordinance amending Planned Development District No. 340 to remove a portion of Tract 2 and an ordinance amending Planned Development District No. 631 to remove portions of the MCO and the LCO Subdistricts with retention of Historic Overlay No. 59, Historic Overlay No. 95, Historic Overlay No. 123, Specific Use Permit No. 814, Specific Use Permit No. 1098, Specific Use Permit No. 1254, Planned Development District No. 768, the Dry Liquor Control Overlays and deed restrictions

(The staff recommended Approval, subject to staff's recommended conditions and city plan commission recommended Approval, subject to CPC's recommended conditions)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

Appearing in opposition to the city plan commission recommendation:

Pam Conley, 901 N. Madison Ave., representing Kidd Springs Neighborhood Association  
Michael Warrior, 227 W. 10<sup>th</sup> St.  
Brooke Batson, 612 Haines Ave.  
Anita Mills, 835 W. 8<sup>th</sup> St.  
Monica Acosta Zamora, 732 W. 8<sup>th</sup> St.  
Justin Epker, 2234 Carnes St.  
John McCalib, 1807 Timbergrove Cir.

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

Anne Campbell, 710 Haines Ave.  
Elaine Sacks, 738 N. Madison Ave., representing Kidd Springs Neighborhood Association  
Greg Fieser, 806 Woodlawn Ave.  
Karen Brown, 622-624 W. 5<sup>th</sup> St.  
Barbara Barbee, 303 N. Barnett Ave.  
Laura Palmer, 911 N. Madison Ave.



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

Julie McCullough Kin, 415 1/2 N. Tyler St.  
Leslie McKay, 315 S. Rosemont Ave.  
Bennett Stokes, 915 N. Madison Ave.  
Susan Schott, 302 Rosemont Ave.  
Alicia Quintans, 227 N. Shore Dr., representing Old Oak Cliff Conservation League  
Kathy Schneider, (Not Provided)  
Michael Bain, 839 Madison Ave.  
Molly Sutton, 828 8<sup>th</sup> St.  
Leslie Allen Davis, 3035 E. Ledbetter Dr.

Appearing in favor of the city plan commission recommendation:

Rick Garza, 1314 Kings Highway, representing Bishop/Davis Urban Design Steering Committee  
Val Haskell, 1619 Kings Highway  
Bob Stimson, 400 S. Zang Blvd., representing Oak Cliff Chamber of Commerce  
Mariam Anderson, 903 Stevens Woods Ct.  
Paul Zubiate, 1427 Kings Highway, representing Kings Highway Conservation District  
Vicki Keene, 738 Cedar Hill Ave.  
Augustine Jalomo, 607 W. Cauty St., representing Kidd Springs Central Community Group  
Kyle Ward, 410 N. Montclair Ave.  
Amanda Moreno Cross, 1116 Kensington  
Jim Lake, Jr., 1350 Manufacturing St.

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

Rob Shearer, 425 Neches St.  
Enrique Fernandez, 804 W. 8<sup>th</sup> St.  
Allison Garza, 1314 Kings Highway  
Jennifer Pickert, 606 N. Montclair Ave.  
Jerry Beach, 652 W. Colorado Blvd.  
Meredith Stevens, 1234 Kings Highway  
Brian Davis, 2839 Burlington Blvd.  
Tonya Sanchez, (Not Provided)  
Jeff Cummings, 1103 Ellum Wood Pl.  
Jack Keene, 738 Cedar Hill Ave.

Councilmember Jasso moved to close the public, accept the city plan commission recommendation approving:

- PD No. 830 (Davis Street Special Purpose District),
- The amendments to
  - PD No. 87 (Winnetka Heights)
  - Conservation District No. 1 (Kings Highway); and
  - Conservation District No. 7 (Bishop/Eighth Street)

With the following changes:

- That PD 340, Tract II remains in PD 340;
- That PD 830 Subdistrict 1,
  - Maximum structure height is 38 feet, except that for Mixed Use Residential Project, maximum structure height is 42 feet.
  - The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property outside of the district that is zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.
- PD 830, Section 118(1) is reworded to say: “the building was constructed before 1957 if fronting on Davis Street, Tyler Street, Polk Street, or 7<sup>th</sup> Street east of Madison Avenue and before 1945 if fronting on Bishop Avenue;”
- In PD 830, Sections 123(b), delete the Bishop Avenue (North of Davis) sidewalk requirements;
- In PD 830, Section 123(c)(E), pedestrian amenities must be provided on each building site with a minimum street frontage of 100 feet; and
- In PD 830, Section 124(a), for purposes of platting structures that exist as of August 11, 2010 that are nonconforming as to the zoning setback regulations or that encroach upon a setback line are not subject to the setback provisions in Sections 51A-8.501(a) or 51A-8.503(e)(1).
- In PD 830, Section 120, landscaping must be provided in accordance with Article X except as follows:
  - Required landscaping may be located in the public right-of-way and required landscaping and design standards in adjacent right-of-way may be counted toward the site requirements.

- In Subdistricts 3 and 6, the following additional landscaping provisions apply:
  - One large canopy tree having a caliper of at least three inches must be provided no closer than 25 feet on center for every 40 feet of street frontage and may be planted within 25 feet of back of curb.
  - If the city arborists determines that the planting space for the required tree is inadequate or that utility lines prohibit the planting, two small trees may count toward the street tree requirements.
  - Parking spaces in a surface parking lot may be located no more than 75 feet from the trunk of a large canopy tree in a median or island.
  - Each large canopy tree must have a caliper of at least two inches, must be located in a median or island that is no closer than four feet to the paved portion of the parking lot.
  - A median or island that is located in a surface parking lot must be a minimum of 125 square feet in area.

Motion seconded by Councilmember Neumann and Councilmember Allen and unanimously adopted. (Hill absent)

Assigned ORDINANCE NOS. 27944 THROUGH 27949

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2013

Item 80: Zoning Case Z090-133 (RB) DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z090-133 (RB), an application for and an ordinance granting an MU-2 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an MF-2(A) Multifamily District and an IR Industrial Research District on property located east of Kiest Boulevard, at the terminus of Wonderview Way

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

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

Motion seconded by Councilmember Salazar and Councilmember Atkins and unanimously adopted. (Hill absent)

Assigned ORDINANCE NO. 27950

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2014

Item 81: Zoning Case Z090-155 (WE) DESIGNATED ZONING CASES – INDIVIDUAL

Theresa O'Donnell, director of sustainable development and construction , reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of sustainable development and construction.

A public hearing was called on zoning case Z090-155 (WE), an application for and an ordinance granting a Planned Development Subdistrict for MF-1 Multiple Family Subdistrict uses and a parking lot on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south line of Hondo Avenue, approximately 165 feet northeast from Maple Avenue

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

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

Drew Briscoe, 7995 LBJ Frwy., representing Hopkins Commercial Real Estate

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

Karl Crawley, 900 Jackson St., representing Sal's Restaurant  
Leslie Allen Davis, 3035 E. Ledbetter Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
10-2014  
Page 2

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

Motion seconded by Councilmember Koop and Councilmember Natinsky and unanimously adopted. (Hill absent)

Assigned ORDINANCE NO. 27951

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2015

Item 82: Zoning Case Z090-168 (MD) DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z090-168 (MD), an application for and an ordinance granting an amendment to Planned Development District No. 262, with Historic Overlay District No. 31, to amend conditions, development plan, landscape plan and create a Tract 3 with historic preservation criteria for the Nurses Building at the west corner of Maple Avenue and Oak Lawn Avenue

(The staff and city plan commission recommended Approval, subject to conditions, conceptual plan, development plan, landscaping plan and preservation criteria)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

Motion seconded by Councilmember Margolin and Councilmember Hunt and unanimously adopted. (Hill absent)

Assigned ORDINANCE NO. 27952

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2016

Item 83: Zoning Case Z090-168 (MD) DESIGNATED ZONING CASES – INDIVIDUAL

Theresa O'Donnell, director of sustainable development and construction , reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of sustainable development and construction.

A public hearing was called on zoning case Z090-168 (MD), an application for and an ordinance granting an amendment to Planned Development District No. 262, with Historic Overlay District No. 31, to amend conditions, development plan, landscape plan and create a Tract 3 with historic preservation criteria for the Nurses Building at the west corner of Maple Avenue and Oak Lawn Avenue

(The staff and city plan commission recommended Approval, subject to conditions, conceptual plan, development plan, landscaping plan and preservation criteria)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

Pamela Craig, 1202 Misty Meadow Dr., **Midlothian, TX**, representing David Luna  
Leslie Allen Davis, 3035 E. Ledbetter Dr.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
10-2016  
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Councilmember Salazar moved to close the public hearing and hold under advisement until the September 8, 2010, voting agenda meeting of the city council.

Motion seconded by Councilmember Allen and Councilmember Margolin and unanimously adopted. (Caraway, Medrano, Hunt absent; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2017

Item 84: Zoning Case Z090-173 (RB) DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z090-173 (RB), an application for and an ordinance granting an amendment to the Tract I portion of Planned Development District No. 536 for a Transit passenger station or transfer center and certain Mixed Uses on the northeast line of LBJ Freeway, between Skillman Street and Miller Road

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

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

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

Motion seconded by Mayor Pro Tem Caraway and Councilmember Natinsky and unanimously adopted. (Hill absent)

Assigned ORDINANCE NO. 27953

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2018

Item 85: Zoning Case Z090-180 (WE) DESIGNATED ZONING CASES – INDIVIDUAL

A public hearing was called on zoning case Z090-180 (WE), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Cedar Springs Road, between the Dallas North Tollway and Herschel Avenue

(The staff and city plan commission recommended Approval, of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict uses, subject to a development plan and conditions)

In accordance with Section 7.13 of the City Council Rules of Procedures, "Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters", Mayor Leppert read the following certification into the record:

"By making and seconding this motion, the councilmembers represent they have undertaken sufficient examination and involvement, beyond reviewing the agenda materials, to be knowledgeable of both the facts and the circumstances of the case and to be able to develop an opinion based on such an examination of the various factors and issues involved."

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

Appearing in favor of the city plan commission recommendation:

Karl Crawley, 900 Jackson St., representing the applicant

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

Motion seconded by Councilmember Salazar and Councilmember Atkins and unanimously adopted. (Hill absent)

Assigned ORDINANCE NO. 27954

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2019

Item 86: A public hearing to receive comments on the proposed changes to the City's Community Development Block Grant public improvement policy for nonprofit organizations; and at the close of the public hearing, **(1)** rescind the current policy that discontinued the use of CDBG funds for public improvement activities at nonprofit organizations; and **(2)** adopt a new policy for which CDBG funds will be used to fund public improvement activities at nonprofit organizations - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Margolin moved to close the public hearing and hold under advisement until the September 22, 2010, voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2020

Item 87: 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 Pimental Holdings, LLC, Prescott Interests, Ltd., and Dallas Area Rapid Transit located near the intersection of Butler Street and Maple Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Ashland, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City Assigned

(The staff recommended approval,)

The city secretary read the following statement into the record:

The Assistant 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 representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council regarding the item:

James Morris, 1722 Routh St., representing the applicant  
Terry West Perkins, Professional Geoscientist

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

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

Assigned ORDINANCE NO. 27955

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2021

Item 88: 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 Southern Methodist University, Pony Properties, Inc., Mustang Mockingbird Corporation, and Mustang Mockingbird Properties located near the intersection of Mockingbird Lane and North Central Expressway and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Southern Methodist University 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 Assistant 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 representative of the applicant who is familiar with the application must be present and available to answer questions."

The following individual addressed the city council regarding the item:

Rusty Simpson, Professional Geoscientist  
Scott Deatherage, 6718 Avalon Ave., representing applicant

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

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

Assigned ORDINANCE NO. 27956

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2022

Item 89: A public hearing to receive comments on the proposed use of a portion of Ridgewood Park, totaling approximately 41,905 square feet of land, for the installation of drainage and flood control structures for the Rush Creek drainage improvement project; and at the close of the hearing, consideration of a resolution authorizing the use - Financing: This action has no cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2023

Item 90: A public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Unnamed FN3, a four lane undivided collector (S-4-U) within 60 feet of right-of-way between Frankford Road and the George Bush Tollway to a special two lane undivided collector (SPCL-2-U) within 50 feet of right-of-way and 26 to 36 feet of pavement, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Natinsky moved to close the public hearing and pass the ordinance with the following changes:

- an unnamed special two lane divided collector called a SPCL-2-D within the 50 feet of right of way and 26-36 feet of pavement.

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

Assigned ORDINANCE NO. 27957



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2024

Item 91: A public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to: **(1)** change the dimensional classification of Belleview Street from Lamar Street to Akard Street from a four lane undivided roadway (M-4-U) within 60 feet of right-of-way to a special two lane undivided roadway (SPCL-2-U) within 60 feet of right-of-way and 36 feet of pavement; **(2)** add Belleview Street from Austin Street to Lamar Street, a special two lane undivided roadway (SPCL-2-U) within 60 feet of right of way and 36 feet of pavement; and **(3)** add Belleview Street from Akard Street to Ervay Street, a special two lane undivided roadway (SPCL-2-U) within 60 feet of right of way and 36 feet of pavement and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Leslie Allen Davis, 3035 E. Ledbetter Dr.

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

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

Assigned ORDINANCE NO. 27958

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2025

Item 92: A public hearing to receive comments regarding an amendment to the CBD Streets and Vehicular Circulation Plan to change the following streets from one-way to two-way traffic operations: **(1)** Akard Street from Pacific Street to Elm Street, from a 3 lanes southbound operation to 2 lanes southbound and 1 lane northbound operation; **(2)** Akard Street from Elm Street to Commerce Street, from a 2 lanes southbound operation to 1 lane northbound and 1 lane southbound operation; **(3)** Federal Street from Field to Ervay, from a 2 lane eastbound operation to a 1 lane eastbound and 1 lane westbound operation; **(4)** Field Street from Elm Street to Wood Street, from a 3 lanes northbound operation to 2 lanes northbound and 1 lane southbound operation; and **(5)** Patterson Street from Field Street to Akard Street, from a 2 lanes westbound operation to 1 lane westbound and 1 lane eastbound operation, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Natinsky and unanimously adopted. (Caraway, Hunt absent when vote taken; Hill absent)

Assigned ORDINANCE NO. 27959

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2026

Addendum addition 1: Authorize a professional services contract with Neel-Schaffer, Inc. for the engineering design of Project Group 06-3012 (list attached) - Not to exceed \$49,397 - Financing: 2008-09 Community Development Block Grant Reprogramming Funds (\$27,096) and Stormwater Drainage Management Funds (\$22,301)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2027

Addendum addition 2: Authorize the deposit of a Special Commissioners' Award in the lawsuit styled, City of Dallas v. James Robert McDaniel, Cause No. 10-01370-E, for acquisition from James Robert McDaniel of approximately 49,047 square feet of land located near the intersection of Long Acre Lane and Loop 12 for the Trinity River Corridor Project Audubon Center - Not to exceed \$309,217 (\$305,217 plus closing costs not to exceed \$4,000) - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 11, 2010

10-2028

Addendum addition 3: An ordinance amending Chapter 31 of the Dallas City Code to: **(1)** prohibit the use, possession, or sale of synthetic cannabinoids and salvia divinorum in the City; **(2)** prohibit the use or possession of paraphernalia used or intended to be used to introduce synthetic cannabinoids or salvia divinorum into the human body; **(3)** provide defenses; and **(4)** provide a penalty of up to \$2,000 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Daniel Barnett, 10186 Stone Canyon Rd.  
Jason Savell, 9801 Stonelake Blvd., Austin, TX  
Davis Sloane, 933 W. Weatherford St., Ft. Worth, TX, representing NORML

Mayor Pro Tem Caraway moved to adopt the item.

Motion seconded by Councilmember Davis.

After discussion, Mayor Leppert called the vote on Mayor Pro Tem Caraway's motion to adopt the item:

Voting Yes: [13] Leppert, Caraway, Medrano, Jasso, Neumann, Salazar, Davis, Atkins,  
Kadane, Allen, Koop, Natinsky, Margolin,  
Voting No: [1] Hunt  
Absent: [1] Hill

Mayor Leppert declared the motion adopted.

Assigned ORDINANCE NO. 27960

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 11, 2010

EXHIBIT C