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CITY OF DALLAS

CITY SECRETARY LANDMARK COMMISSION
DALLAS, TEXAS TUESDAY, SEPTEMBER 1, 2009

AGENDA

BRIEFINGS: Dallas City Hall 11:00 a.m.
1500 Marilla St., Room 5/E/S

Tour/Site Visit of 508 Park Ave. and 1900 Young St.
in the Harwood Historic District

PUBLIC HEARING: Dallas City Hall
1500 Marilla St., Council Chambers – 6th floor 1:00 p.m.

* The Landmark Commission may be briefed on any item on the agenda if it becomes necessary.

Theresa O'Donnell, Director
Kate Singleton, Chief Planner
Jim Anderson, Sr. Planner Historic Preservation
Tracey Cox, Planner Historic Preservation
Mark Doty, Sr. Planner Historic Preservation
Marcus Watson, Sr. Planner Historic Preservation

BRIEFING ITEMS

1. The Landmark Commission may be briefed on any item on the agenda if it becomes necessary.
2. The Commission will meet in room 5/E/S before departing for the tour/site visit of the above mentioned properties.
3. How to make a motion, Tammy Palomino, Assistant City Attorney

CONSENT ITEMS

1. 300 S EDGEFIELD

District: Winnetka Heights
Case Number: CE089-018(TC)
Tracey Cox

Request: A Certificate of Eligibility (CE) for a tax exemption on 100 percent of land and improvements for a period of ten years and approval of \$50,000 in expenditures spent on rehabilitation within the three years prior to the CE approval.

Applicant: Glenn and Calleen Phillips

Application Filed: July 16, 2009

Staff Recommendations: Approval of the Certificate of Eligibility and approval of \$50,000 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

Task Force Recommendations: N/A

2. 10 NONESUCH RD.

Stanley Marcus House

Request: A public hearing to decide whether to authorize a public hearing to determine proper zoning, Stanley Marcus House.

Staff Recommendations: Approval

Designation Committee Recommendations: Approval

3. 10 NONESUCH RD.

Stanley Marcus House
CA089-545(MD)
Mark Doty

Request: 1) Repair/restore exterior of main structure.
2) New garage with quarters.

Applicant: W2 Studio

Application Filed: August 6, 2009

Staff Recommendations: 1) Repair/restore exterior of main structure. – Approve – Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(d)(5)(a), the draft preservation criteria and the Secretary of the Interior Standards.

2) New garage with quarters. – Approve - Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(d)(5)(a), the draft preservation criteria and the Secretary of the Interior Standards.

Task Force Recommendations: 1) Repair/restore exterior of main structure. – Approve with Conditions - Recommend approval with condition that the work comply with the preservation criteria currently in development. Comments only, no quorum.

2) New garage with quarters. – Approve with Conditions - Recommend approval with condition that the work comply with the preservation criteria currently in development. Comments only - no quorum.

4. 3630 HARRY HINES BLVD.

Turtle Creek Pump Station
CA089-535(MD)
Mark Doty

Request: 1) Turtle Creek Pump Station - Addition of cast in place concrete retaining wall and accessibility ramp.

2) Turtle Creek Pump Station - New outdoor sculpture.

Applicant: Architexas

Application Filed: August 4, 2009

Staff Recommendations: 1) Turtle Creek Pump Station - Addition of cast in place concrete retaining wall and accessibility ramp. – Approve - Approve drawing submitted with the finding of fact the proposed work is consistent with the criteria for public improvements in the preservation criteria Section 7, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Turtle Creek Pump Station - New outdoor sculpture. – Approve - Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendations: 1) Turtle Creek Pump Station - Addition of cast in place concrete retaining wall and accessibility ramp. – Approve - Recommend approval as submitted. Comments only - No quorum.

2) Turtle Creek Pump Station - New outdoor sculpture. – Approve - Recommend approval as submitted. Comments only - No quorum.

5. 3939 GRAND AVE.

Fair Park
CA089-539(MD)
Mark Doty

Request: 1) Hall of State - Re-paint ceiling in alcoves of Hall of Heroes.

2) Hall of State - New acoustic plaster ceiling in auditorium.

Applicant: Quimby McCoy Preservation Architecture, LLP

Application Filed: August 6, 2009

Staff Recommendations: 1) Hall of State - Re-paint ceiling in alcoves of Hall of Heroes. – Approve - Approve paint colors

submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Hall of State - New acoustic plaster ceiling in auditorium. – Approve with Conditions - Approve Option #4 with the condition that the ceiling is repaired at the sprinkler trenches only with acoustic plaster to match existing with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Staff recommends that a full restoration of the ceiling is completed when funding is available.

Task Force Recommendations: 1) Hall of State - Re-paint ceiling in alcoves of Hall of Heroes. – Approve - Hall of Heroes - recommend approval.

2) Hall of State - New acoustic plaster ceiling in auditorium. – Deny without Prejudice - Task Force recommendation is to install patching at trenched areas in a manner that does not preclude restoring the existing historic acoustic plaster at a later date. Also investigate installing sprinkler caps as close to flush as possible.

6. 2009 COMMERCE ST.

Harwood Historic District
Municipal Building
CA089-507(MD)
Mark Doty

Request: 1) Old Municipal Building Annex - New accessibility ramps on south elevation.

2) Old Municipal Building Annex - Exterior wall cleaning and repointing.

3) Old Municipal Building Annex - Roof replacement.

Applicant: City of Dallas

Application Filed: July 24, 2009

Staff Recommendations: 1) Old Municipal Building Annex - New accessibility ramps on south elevation. – Approve - Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Old Municipal Building Annex - Exterior wall cleaning and repointing. – Approve - Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

3) Old Municipal Building Annex - Roof replacement. – Approve - Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendations: 1) Old Municipal Building Annex - New accessibility ramps on south elevation. – Approve with Conditions - Recommend approval with the condition that granite on new wall match as close as possible to the existing historic granite wainscot. Comments only - no quorum.

2) Old Municipal Building Annex - Exterior wall cleaning and repointing. – Approve with Conditions - Comments only - no quorum.

3) Old Municipal Building Annex - Roof replacement. – Approve - Comments only - no quorum.

7. 501 ELM ST.

West End Historic District
CA089-505(MD)
Mark Doty

Request: 1) Addition of corner canopy above entrance with integral signage.

Applicant: Corgan Associates, Inc.

Application Filed: August 5, 2009

Staff Recommendations: 1) Addition of corner canopy above entrance with integral signage. – Approve - Approved drawing submitted with the finding of fact that the proposed work is consistent with the criteria for canopy signs in the preservation criteria Section 51A-7.1005(b), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendations: 1) Addition of corner canopy above entrance with integral signage. – Approve - Recommend approval as submitted. Comments only - no quorum.

8. 520 ROSS AVE.

West End Historic District
CA089-536(MD)
Mark Doty

Request: 1) Revision to previously approved Site plan for new parking lot.

Applicant: Michael Coker

Application Filed: August 6, 2009

Staff Recommendations: 1) Revision to previously approved Site plan for new parking lot. – Approve - Approve revised drawings as submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii) and landscaping requirements in Central Area District regulations 51A-4.124(A)(9)(K).

Task Force Recommendations: 1) Revision to previously approved Site plan for new parking lot. – Approve - Recommend approve as submitted. Comments only - no quorum.

9. 5716 JUNIUS ST

Junius Heights Historic District
CA089-553(TC)
Tracey Cox

Request: 1) Porch foundation skirt.

Applicant: Amy Rozotto

Application Filed: August 7, 2009

Staff Recommendations: 1) Porch foundation skirt. – Approve - Approve revised request to install a porch skirt of wood 117 siding with wood vents as submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C) and the requirements in preservation criteria 4.1(a), 4.1(b), and 4.2.

Task Force Recommendations: 1) Porch foundation skirt. – Deny - Lattice as a skirting for the porch is not appropriate due to 4.1.b, 4.3, and 4.5. Recommend using tear drop siding with vents in the wood siding on the porch.

10. 4821 TREMONT ST.

Munger Place Historic District
CA089-552(MW)
Marcus Watson

Request: 1) Replace non-historic workshop addition to garage structure with new addition to garage, per plans.

Applicant: Adam Sanderson

Application Filed: August 4, 2009

Staff Recommendations: 1) Replace non-historic workshop addition to garage structure with new addition to garage, per plans. – Approve with Conditions - Proposed work must meet all applicable development and building codes. If condition is met, the proposed work is consistent with the criteria for accessory structures in Ordinance #20024, Section 11(a)(1), and it meets the

standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendations: 1) Replace non-historic workshop addition to garage structure with new addition to garage, per plans. – Approve – Comments only – Approved as submitted.

11. 4314 TRELIS CT.
Peak's Suburban Addition
CA089-546(MD)
Mark Doty

Request: 1) Construct a new free-standing metal and fabric canopy/awning to be located at rear of driveway.

Applicant: Zelman Brounoff

Application Filed: August 6, 2009

Staff Recommendations: 1) Construct a new free-standing metal and fabric canopy/awning to be located at rear of driveway. – Approve with Conditions - Approve drawings submitted with the condition that the proposed work complies with all applicable Dallas Building and Development Codes with the finding of fact that although the proposed work does not comply with Section 6.3 that states accessory buildings must be at least 8 feet from the main building, Section 6.6 that states the minimum rear yard setback is 2'-6" and Section 6.7 that states the minimum side yard setback is 3'-0", it meets the criteria for landmark commission approval of work that does not strictly comply with the preservation criteria under City Code Section 51A-4.501(g)(6)(B), because the proposed work is historically accurate, it is consistent with the spirit and intent of the preservation criteria and it will not adversely affect the historic character of the property or the integrity of the historic overlay district.

Task Force Recommendations: 1) Construct a new free-standing metal and fabric canopy/awning to be located at rear of driveway. – Approve with Conditions - Location ok despite 8' requirement in 6.3. 2' offset from property line preferable to 3' offset required in 6.7. Valance should be level when viewed from street. High point of roof should be in center, sloping down to front and back. Dentil valance preferred to scalloped.
(Kam recuses due to living close to applicant property.)

12. 2600 HIBERNIA ST.
State Thomas Historic District
CA089-541(JA)
Jim Anderson

Request: 1) Remove existing addition.
2) New rear addition; including garage.
3) Shorten windows at kitchen.
4) New skylight.
5) New fence at corner side yard.

Applicant: Diane Dunaway

Application Filed: August 6, 2009

Staff Recommendations: 1) Remove existing addition. – Approve - The addition is consistent with City Code Section 51A-4.501(g)(6)(C)(i) with the finding of fact the addition is not historic.
2) New rear addition; including garage. – Approve - The new addition is compatible with the main structure with the finding of fact that it is consistent with Ordinance No. 19084 Section 8(a)(2) and City Code Section 51A-4.501(g)(6)(C)(i).
3) Shorten windows at kitchen. – Deny without Prejudice - The size and proportion of the windows on the front and side facades must be typical of the style and period of the building with the finding of

fact that retaining the original windows is consistent with Ordinance No. 19084 Section 8(a)(16)(ii) and (iii) and City Code Section 51A-4.501(g)(6(C)(i). The applicant has agreed to retain the original windows and not to replace them with shorter windows.

4) New skylight. – Approve - The proposed skylight is not seen from the street with the finding of fact that it is consistent with Ordinance No. 19084 Section 8(a)(14)(D)(ii) and City Code Section 51A-4.501(g)(6(C)(i).

5) New fence at corner side yard. – Approve with Conditions - The fence must be set back at least 2 feet from the sidewalk and it's location is appropriate to the main structure with the finding of fact that it is consistent with Ordinance No. 19084 Section 8(b)(2)(C)(ii) and (iii) and City Code Section 51A-4.501(g)(6(C)(i).

Task Force Recommendations: 1) Remove existing addition. – Approve - No quorum; comments only.

2) New rear addition; including garage. – Approve - No quorum; comments only.

3) Shorten windows at kitchen. – Approve with Conditions - No quorum; comments only. The windows should remain the same as the historic windows in size and proportion.

4) New skylight. – Approve - No quorum; comments only. Approval of skylight.

5) New fence at corner side yard. – Approve with Conditions - No quorum; comments only. The fence aligns with the existing fence (2 feet from the sidewalk).

13. 2619 HIBERNIA ST.

State Thomas Historic District
CA089-548(JA)
Jim Anderson

Request: 1) New rear addition.

Applicant: Eric Marye

Application Filed: August 7, 2009

Staff Recommendations: 1) New rear addition. – Approve - The applicant has resubmitted a design that adds windows to the side and rear facades of the addition that match the windows on the existing structure. These proposed windows are appropriate to the main structure with the finding of fact that it is consistent with Ordinance No. 19084 Section 8(a)(16)(F)(i) and (ii) and City Code Section 51A-4.501(g)(6(C)(i).

Task Force Recommendations: 1) New rear addition. – Approve with Conditions - No quorum; comments only. Add windows to rear and side wall, proportional to existing windows original to historic home.

14. 304 N EDGEFIELD AVE

Winnetka Heights Historic District
CA089-528(JA)
Jim Anderson

Request: 1) Replace two front doors with Craftsman style doors. Doors installed.

Applicant: Maria J. Kido

Application Filed: June 29, 2009

Staff Recommendations: 1) Replace two front doors with Craftsman style doors. Doors installed. – Approve - The front doors are typical to the structure and the district with the finding of fact that the doors are consistent with Ordinance No. 18369 Section 9(a)(17)(F)(iii) and City Code Section 51A-4.501(g)(6(C)(i).

Task Force Recommendations: 1) Replace two front doors with Craftsman style doors. Doors installed. – Approve -

15. 227 N ROSEMONT AVE.
Winnetka Heights Historic District
CA089-492(JA)
Jim Anderson

Request: 1) Paint exterior; Behr paint - Body; Garden Wall 730D-4, Trim; Coconut Husk 730D-6, Accent; Falling Leaves S-H-240.

Applicant: I. Michael Finley

Application Filed: July 7, 2009

Staff Recommendations: Paint exterior. – Approve - The paint colors (Behr); Body- #730-D-4 Garden Wall, Trim #730D-6 Coconut Husk and Accent #S-H-240 Falling Leaves are typical to the structure and the district with the finding of fact that the paint is consistent with Ordinance No. 18369 Section 9(a)(8)(C) and City Code Section 51A-4.501(g)(6(C)(i).

Task Force Recommendations: Paint exterior. – Approval as submitted.

16. 214 N WILLOMET AVE
Winnetka Heights Historic District
CA089-493(JA)
Jim Anderson

Request: 1) New front door.

Applicant: David Oliver

Application Filed: July 7, 2009

Staff Recommendations: 1) New front door. – Approve - The front door is typical to the structure and the district with the finding of fact that the door is consistent with Ordinance No. 18369 Section 9(a)(17)(F)(iii) and City Code Section 51A-4.501(g)(6(C)(i).

Task Force Recommendations: 1) New front door. – Approval as submitted.

17. 117 S WILLOMET AVE
Winnetka Heights Historic District
CA089-543(JA)
Jim Anderson

Request: 1) Paint exterior.

Applicant: Mickey Friedrich

Application Filed: August 5, 2009

Staff Recommendations: 1) Paint exterior. – Approve - The paint colors (Valspar); Body- #7006-1 Homestead Resort Jefferson White, Trim #4004-4C La Fonda Midnight and Accent #3004-4B Homestead Resort Tea Room Yellow are typical to the structure and the district with the finding of fact that the paint color is consistent with Ordinance No. 18369 Section 9(a)(8)(C) and City Code Section 51A-4.501(g)(6(C)(i).

Task Force Recommendations: 1) Paint exterior. – Approval as submitted.

DISCUSSION ITEMS

1. 508 PARK AVE.

Harwood Historic District
CD089-029(MD)
Mark Doty

Tour and site visit scheduled for this property.

Request: 1) Demolition of a structure that poses an imminent threat to public health and safety.

Applicant: Colby Properties, Inc.

Application Filed: August 5, 2009

Staff Recommendations: 1) Demolition of a structure that poses an imminent threat to public health and safety. – Deny - The proposed demolition does not meet the standards in City Code Section 51A-4.501(h)(4)(C) because the owner has not shown that the structure constitutes a documented major and imminent threat to public health and safety with the finding of fact the structure is a contributing structure to the City of Dallas Harwood Historic District and the Dallas Downtown National Register District.

Task Force Recommendations: 1) Demolition of a structure that poses an imminent threat to public health and safety. – Deny - Recommend denial based on not meeting standard of 'imminent threat to public health and safety.'

Comments only - no quorum.

2. 1900 YOUNG ST

Harwood Historic District
CD089-028(MD)
Mark Doty

Tour and site visit scheduled for this property.

Request: 1) Demolition of a noncontributing structure because it is newer than the period of significance.

Applicant: Colby Properties, Inc.

Application Filed: August 5, 2009

Staff Recommendations: 1) Demolition of a noncontributing structure because it is newer than the period of significance. – Deny - Deny with the finding of facts that the proposed demolition does not meet the standards in City Code Section 51A-4.501(h)(4)(D)(iii) because the owner has not shown that demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district and that although the structure is listed as 'non-contributing' per the City of Dallas Harwood Historic District, the structure is listed as 'contributing' to the Dallas Downtown National Register District.

Task Force Recommendations: 1) Demolition of a noncontributing structure because it is newer than the period of significance. – Deny - Comments only - no quorum.

3. 712 LOWELL ST

Junius Heights Historic District
CA089-554(TC)
Tracey Cox

Request: 1) Addition to the rear of the structure.

2) Paint the brick on the entire structure.

3) Install a new driveway.

4) Move gate location.

5) Remove a door and fill in the space with brick.

6) Remove steps to side door.

Applicant: Everest Construction Group.

Application Filed: August 5, 2009

Staff Recommendations: 1) Addition to the rear of the structure – Approve - Approve the request to install an addition on the rear of the structure with the finding of fact the proposed work meets the

standards in City Code Section 51A-4.501(g)(6)(C)(i) and the requirements in preservation criteria 8.4, 8.5, 8.6, and 8.14. The divider between the new addition and main structure should be vertical and of the same materials as the addition. If painting the brick is denied, staff would recommend the addition be clad in brick to as closely as possible match in size, color, and texture to the existing brick on the main structure or that wood drop siding be used.

2) Paint the brick on the entire structure – Deny - Deny the request to paint the brick on the existing main structure and proposed addition with the finding of fact the proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(i) nor does it meet the requirements in preservation criteria 4.1(b) and 4.1(e). Also the request does not comply with Secretary of the Interior Standard #5 that says distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

3) Install a new driveway – Approve - Approve the request to install a driveway meets the standards in City Code Section 51A-4.501(g)(6)(C)(i) and the requirements in preservation criteria 3.2.

4) Move gate location – Approve - Approve the request to relocate a gate because it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i) and the requirements in preservation criteria 3.6(a)(2), 3.6(b)(1) and 3.6(c)(1).

5) Remove a door and fill in the space with brick – Deny - Deny the request to remove a door located in the wrap around and in-fill it with brick with the finding of fact the proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(i) nor does it meet the requirements in preservation criteria 4.1(a) and 4.1(c).

6) Remove steps to side door – Approve - Approve the request to remove the steps meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). The steps are not original to the structure.

Task Force Recommendations: 1) Addition to the rear of the structure – Approve - Approve the addition to the rear of the house which includes rebuilding the laundry room and adding on an attached garage. Since the garage is in the rear and not visible from the street, it will not have an adverse effect on the streetscape of the neighborhood (per 4.2). The new addition must be clearly discernable from the original house (per 8.14). Matching brick or tear-drop siding is recommended for the addition. Brick to be approved by staff prior to installation.

2) Paint the brick on the entire structure – Approve - Even though 4.1e does not permit painted brick, since some of the brick is mismatched and some of the brick is already spray painted, painting the brick would not have an adverse effect on the neighborhood. Split decision, dissenting opinion: Per 4.1.e, painted brick is not permitted in a historic district. Even though some of the brick is mis-matched, the unpainted brick creates a nice historical patine, and it does not have an adverse effect on the neighborhood.

3) Install a new driveway – Approve - New driveway of brushed finished concrete per 3.2.

- 4) Move gate location – Approve - Approve moving the gate location as shown and installing either a wood or metal (with staff approval prior to installation) gate. New gate location meets 3.6.a2 and 3.6.c.
- 5) Remove a door and fill in the space with brick - No comment.
- 6) Remove steps to side door – No comment.

4. 1325 W DAVIS ST

Winnetka Heights Historic District
CA089-494(JA)
Jim Anderson

Request: 1) New internally illuminated signs.

Applicant: Faisal Housain

Application Filed: July 12, 2009

Staff Recommendations: 1) New internally illuminated signs. – Deny without Prejudice - The back lit signs are not typical to the structure and the district and are not compatible with the style and period of the architecture of the buildings with the finding of fact that the signs are not consistent with Ordinance No. 18369 Section 9(a)(15) and City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendations: 1) New internally illuminated signs. – Deny without Prejudice - Deny existing polycarbonate sign (backlit). Resubmit sign to Task Force using image super imposed upon the front (Davis Street) elevation. Task Force suggests considering neon.

OTHER BUSINESS ITEMS

- 1) Approval of the August 3, 2009 Minutes.
- 2) Consider authorizing a public hearing to consider removing Historic District Overlay No. 54 (Freedman's Cemetery) from the abandoned portion of Campbell Street.
Staff Recommendation: Approval
Designation Committee Recommendation: Approval
- 3) Consideration of an ordinance to allow demolition of historic structures pursuant to court order.
- 4) Proposed 2009-2010 City Manager's Budget for the Historic Preservation Division of Long Range Planning.
- 6) The Landmark Commission Designation Committee is scheduled to meet on the following dates:
Thursday, September 3, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, September 10, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, September 17, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, September 24, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, October 1, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, October 8, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, October 15, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, October 22, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N
Thursday, October 29, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N

Note: The official Designation Committee Agenda will be posted in the City Secretary's Office and City Website at www.ci.dallas.tx.us/cso/boardcal.shtml. Please review the official agenda for location and time changes.

ADJOURNMENT

EXECUTIVE SESSION NOTICE

The Commission may hold a closed executive session concerning one or more of the following topics:

- a. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the commission's attorney to his client under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act; [Texas Government Code §551.071]*
- b. deliberating the purchase, exchange, lease, or value of real property if deliberation in open meeting would have a detrimental effect on the position of the city in negotiations with a third person; [Texas Government Code §551.072]*
- c. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person; [Texas Government Code §551.073]*
- d. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to the hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation requests a public hearing; or [Texas Government Code §551.074]*
- e. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Texas Government Code §551.076]*
- f. Discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay, or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Texas Government Code §551.086]*