

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2005

05-0120

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR LAURA MILLER, PRESIDING

PRESENT: [15] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar,  
Chaney, Fantroy, Griffith, Blaydes, Finkelman, Greyson,  
Rasansky, Lill

ABSENT: [0]

The meeting was called to order at 9:28 a.m.

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

Mayor Miller asked all members of the city council and the audience to stand for a moment of silence.

The city council and the audience 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 4:05 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2005

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 12, 2005

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0121

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: Michael Davis, Jr., 2411 Creekglen Dr.  
SUBJECT: Public safety proposal

SPEAKER: Roy Williams, 5881 Prestonview Blvd.  
REPRESENTING: Dallas County Green Party  
SUBJECT: 14-1 vs Strong Arm Mayor

SPEAKER: Ricky Anderson, 901 S. Ervay St.  
SUBJECT: Homeless and cleanliness

SPEAKER: Zad Roumaya, 1201 S. Ervay St.  
SUBJECT: Homeless assistance centers 24 hours operation

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Mayor form of government and the KKK

**ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:**

SPEAKER: Doreatha Robinson, 4408 Ambassador Way, Balch Springs, TX  
SUBJECT: Dallas Police Department **DID NOT CALL NAME**

**ALL AGENDA ITEMS:**

SPEAKER: Marvin Crenshaw, 5134 Malcolm X. Blvd.  
REPRESENTING: Citizens Organized for a representative democracy

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
REPRESENTING: Citizens Organized for a Representative Democracy  
SUBJECT: Democrat process **CANCELED**

SPEAKER: Bruce Kline, 2747 Irving Blvd.  
SUBJECT: Police/Criminal cooperation **NO SHOW**

SPEAKER: Caroline Tremper, 235 W. Woodin Blvd.  
REPRESENTING: Dallas Restoration Church  
SUBJECT: Introduction

SPEAKER: Frank Ward, P.O. Box 50694 **NO SHOW**  
REPRESENTING: Community at large  
SUBJECT: Destroying corruption, evil, wickedness and the sale out traditions

SPEAKER: Michael Humphreys, 2929 Hickory St.  
SUBJECT: Community **NO SHOW**

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

SPEAKER: Stephen Meeks, 1700 Lakeview Dr. **NO SHOW**  
SUBJECT: Code enforcement and other issues

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

04-0122

The following individual addressed the city council on all agenda items before the agenda was presented:

Marvin Crenshaw, 5134 Malcolm X Blvd., representing Citizens Organized for a Representative Democracy

Item 1: Approval of Minutes of the November 10, 2004 City Council Meeting

Councilmember Oakley moved to approve the minutes, as corrected. The city secretary stated that on agenda item 81, the word should be “indicated” instead of “indicted”

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0123

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-51 and addendum addition consent agenda items 1-9, were presented for consideration.

The city secretary announced that the city manager had deleted agenda item 6 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 9, 22, 26, 33, 35, 36, 37, 38, and 39 and addendum addition item 9 be considered as individual items. Mayor Miller stated that consent agenda items 9, 22, 26, 33, 35, 36, 37, 38, and 39 and addendum addition item 9 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Lill requested that addendum addition item 9 be considered as an individual item. Mayor Miller stated that addendum addition item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 6 which was deleted, and consent agenda items 9, 22, 26, 33, 35, 36, 37, 38, and 39 and addendum addition item 9 which would be considered later in the meeting.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0124

Item 2: Authorize a professional services contract with Huitt-Zollars, Inc. for the design of the hike and bike trail improvements at Bachman Lake Park located at 3500 Northwest Highway - \$92,780 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0125

Item 3: Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for the historic restoration and repair of various landscape features, pavilion and rest rooms, roadways and parking areas at Flagpole Hill in White Rock Lake Park - \$93,895 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0126

Item 4: Authorize (1) a contract for historic facade rehabilitation related to the redevelopment of the Gulf States Building at 1415 Main Street with Key Construction, Inc., lowest responsible bidder of four, in an amount not to exceed \$2,594,000, (2) assignment of the contract to G. S. Murray Development for construction management, and (3) payment to G. S. Murray Development in an amount not to exceed \$994,360 for design, reimbursables and construction management - Total not to exceed \$3,588,360 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0127

Item 5: Authorize an amendment to Resolution No. 03-1829, previously approved on June 25, 2003, to reflect an increase in the City's share of projected actual project costs in the agreement with the Texas Department of Transportation for runway improvements to include enhancements to runway drainage and upgrades to all runway lighting and signage at Dallas Executive Airport - Not to exceed \$17,261, from \$135,000 to \$152,261 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0128

Item 6: Authorize a twenty-year development agreement, with two five-year renewal options, with Texas! Music, a not-for-profit agency, to construct and operate a museum dedicated to the preservation of Texas music collections, memorabilia and music in the Hall of Religions Building at Fair Park located at 1111 First Avenue from January 21, 2005 through January 21, 2025 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0129

Item 7: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Industrial Boulevard from south of IH 30 to north of Commerce Street - \$530,000 - Financing: 1998 Bond Funds (\$150,000), 2003 Bond Funds (\$150,000), Water Utilities Capital Improvement Funds (\$230,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0130

Item 8: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage and water main improvements on Ledbetter Extension from Merrifield Road to Mountain Creek Parkway - \$440,000 - Financing: 2003 Bond Funds (\$300,000), Water Utilities Capital Improvement Funds (\$140,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0131

Item 9: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Live Oak Street from Liberty Street to Peak Street - \$415,001 - Financing: 2003 Bond Funds (\$220,001), Water Utilities Capital Improvement Funds (\$195,000)

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

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

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

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Rasansky abstain; Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0132

Item 10: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Preston Road from Park Lane to north of Royal Lane - \$420,002 - Financing: 2003 Bond Funds (\$250,002), Water Utilities Capital Improvement Funds (\$170,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0133

Item 11: Authorize (1) street paving, storm drainage, water and wastewater main improvements for Street Group 98-430; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on February 23, 2005, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0134

Item 12: An ordinance abandoning a wastewater easement to Venenca LP, the abutting owner, containing approximately 4,757 square feet of land located near the intersection of Creek Cove Drive and Ezekial Avenue, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25837.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0135

Item 13: An ordinance abandoning a water main easement to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 6,464 square feet of land located near the intersection of Northwest Highway and Shady Brook Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25838.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0136

Item 14: An ordinance closing and vacating portions of Park Avenue, Gano Street and alleys containing approximately 53,720 square feet of land located near their intersections with St. Paul, Beaumont and Harwood Streets for the purpose of consolidating these areas with the adjacent City-owned park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25839.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0137

Item 15: Authorize the private sale by quitclaim deed of a vacant lot located at 7727 Elam Road acquired by the taxing authorities from a Sheriff's Sale to Foundation for Housing Resources, Inc. - Revenue: \$8,727

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0138

Item 16: Authorize (1) a public hearing to be held on January 26, 2005 to receive citizens' comments on the proposed private sale by quitclaim deed of 2 unimproved properties located at 2621 Jeffries and 2642 Jeffries acquired by the taxing authorities from the Sheriff's Sale to SouthFair Community Development Corporation, a qualified non-profit organization; and, (2) at the close of the public hearing, consideration of approval of the sale of these properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0139

Item 17: Authorize the release of lien on Lot 7, Block A/4256, 1102 Nolte Drive due to the cancellation of the sidewalk replacement project by property owners -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0140

Item 18: Authorize a professional services contract with CWH Management Solutions to conduct a job analysis/test validation study for the physical abilities test for the Fire and Rescue Officer Trainee position - \$29,000 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0141

Item 19: Authorize a thirty-six-month price agreement for sign language services with the lowest responsible bidder of two - Deaf Action Center - Not to exceed \$125,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0142

Item 20: Authorize a thirty-six-month price agreement for the rental and maintenance of portable toilets with the lowest responsible bidder of two - Lone Star Portable Rest Rooms, L.P. - Not to exceed \$1,076,131 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0143

Item 21: Authorize a thirty-six-month price agreement for printing of water bill inserts with the lowest responsible bidder of nine - Sprint Press, Inc. - Not to exceed \$402,135 - Financing: Water Utilities Current Funds (\$256,755), Current Funds (\$145,380)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0144

Item 22: Authorize (1) an Interlocal Agreement with the North Texas Tollway Authority for the purchase and installation of the Automated Vehicle Identification System at Dallas Love Field in the amount of \$850,000; and, (2) a thirty-six-month maintenance agreement, with two thirty-six-month renewal options, in the amount of \$288,000 - Total not to exceed \$1,138,000 - Financing: Aviation Current Funds (\$288,000), Aviation Capital Construction Funds (\$850,000)

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

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

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0145

Item 23: Authorize a twenty-four-month price agreement for temporary industrial labor with the lowest responsible bidder of six - CTJ Maintenance, Inc. - Not to exceed \$2,203,119 - Financing: Current Funds (\$1,752,469) and Water Utilities Current Funds (\$450,650)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0146

Item 24: Authorize an increase in the service contract with CTJ Maintenance, Inc., for janitorial services at the Dallas Convention Center - Not to exceed \$220,000, from \$1,871,320 to \$2,091,320 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0147

Item 25: Authorize a twenty-four-month price agreement for communication headsets with the lowest responsible bidder of nine - Call One, Inc. - Not to exceed \$59,044 - Financing: Current Funds (\$52,044), Water Utilities Current Funds (\$6,000), Aviation Current Funds (\$1,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0148

Item 26: Authorize a twenty-four-month price agreement for radio equipment with the lowest responsible bidder of three - Motorola, Inc. - Not to exceed \$3,605,438  
- Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 26 be considered as an individual item. Mayor Miller stated that consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Griffith moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0149

Item 27: Authorize a sixty-month service contract for janitorial services at the Oak Cliff Municipal Center with the lowest responsible bidder of nine - Oriental Building Services - Not to exceed \$1,162,776 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0150

Item 28: Authorize a thirty-six-month price agreement for security gates, detection equipment and self-check units for the Dallas Public Library with the lowest responsible bidders of two - ID Systems USA, Inc. in the amount of \$348,605 and 3M Company in the amount of \$80,400 - Total not to exceed \$429,005 - Financing: Library Gifts and Donations (\$328,055), 2003 Bond Funds (\$100,950)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0151

Item 29: Authorize a thirty-six-month price agreement for folding tables and chairs with the lowest responsible bidders of three - MTS Seating in the amount of \$21,750, Southern Aluminum Mfg., Inc. in the amount of \$50,312, and Palmer Snyder in the amount of \$54,725 - Total not to exceed \$126,787 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0152

Item 30: Authorize a twenty-four-month price agreement for cement, paving chairs, tie wire, expansion joints and Kraft hand tools with the lowest responsible bidders of five - Concrete Accessories, Inc. in the amount of \$160,961, United Equipment Rentals Gulf, L.P. in the amount of \$76,013, and Southern Fastening Systems of Texas, LLC in the amount of \$14,240 - Total not to exceed \$251,214 - Financing: Water Utilities Current Funds (\$141,412), Current Funds (\$109,802)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0153

Item 31: Authorize a twenty-four-month price agreement for ferric chloride for the Central Wastewater Treatment and the Southside Wastewater Treatment Plants with the lowest responsible bidder of three - Kemiron Companies, Inc.  
- Not to exceed \$494,400 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0154

Item 32: Authorize a professional services contract to evaluate the Dallas Water Utilities customer information accounting and billing system with Jericho Consulting, Inc. - Not to exceed \$1,560,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0155

Item 33: Authorize adoption of the Bryan Area Planned Development District No. 298 Bryan Area Study and approval of the recommendations contained therein as a guide for future development in the area generally bounded by Roseland Avenue to the north, Fitzhugh Avenue to the east, Gaston Avenue to the south, and Good Latimer/Central Expressway to the west - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 33 be considered as an individual item. Mayor Miller stated that consent agenda item 33 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 33 was brought up for consideration.

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

Councilmember Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0156

Item 34: An ordinance authorizing a correction to Ordinance No. 25530 for a Conservation District on property bounded by Greenville Avenue, Llano Avenue, Skillman Street and Belmont Avenue to correct the front yard setback - Z023-174(NB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25840.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0157

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 36 and 37  
must be considered  
collectively.

- Item 35: \* Authorize an amendment to Ordinance Nos. 21466, 23033 and 23724, previously approved on December 9, 1998, for the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (1) add language for an environmental remediation/Interior-exterior demolition, facade improvements category to allow funding of historic facade restoration, (2) amend the Oak Cliff Gateway TIF District Plan budget to allocate funding for environmental remediation/interior-exterior demolition, facade improvements, (3) amend the Plan to provide for the sale of TIF bonds to finance public use improvements in the TIF District to be repaid from the increment generated by future growth and development in furtherance of the objectives and implementation of the Plan, if and when conditions are met as set forth in future City Council actions; and (4) amend Ordinance Nos. 21466, 23848 and 23724, that created the Oak Cliff Gateway TIF District and adopted and amended the Plan for the Oak Cliff Gateway Tax Increment Financing District to reflect all such modifications to the Plan - Financing: No cost consideration to the City

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

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

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

The following individual addressed the city council regarding the Oak Cliff Gateway TIF District:

Charles T. Smith, 211 E. Colorado Blvd.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Councilmember Garcia moved to approve the item.

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

Assigned ORDINANCE NO. 25841.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0158

05-0159

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 36 and 37  
must be considered  
collectively.

- Item 36: \* Authorize (1) a development agreement with Beckley Properties, LTD, for the funding of design, engineering and construction of public improvements for the renovation of buildings and structures to produce approximately 15,282 square feet of retail and office space, plus necessary parking located on the properties at 1101, 1111, 1115, 1119, 1121, 1129 N. Beckley Avenue and 1201-1207 El Dorado Street in Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District); and (2) the establishment of appropriations in an amount not to exceed \$450,000 in the Oak Cliff Gateway TIF District Fund - \$450,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds
- Item 37: \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) to reimburse Beckley Properties, LTD, for the funds advanced pursuant to a development agreement between the City of Dallas and Beckley Properties, LTD, in an amount not to exceed \$450,000 plus interest, for certain public improvements related to the renovation of buildings and structures to produce approximately 15,282 square feet of retail and office space, plus necessary parking located on the properties at 1101, 1111, 1115, 1119, 1121, 1129 N. Beckley Avenue and 1201-1207 Eldorado Street in Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District) - \$450,000 - Financing: To be advanced by a private developer and reimbursed from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds

Councilmember Rasansky requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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Later in the meeting, agenda item 36 was brought up for consideration.

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

The following individuals addressed the city council regarding the Oak Cliff Gateway TIF District:

Charles T. Smith, 211 E. Colorado Blvd.

Bob Stimson, 707 Tenna Loma Ct.

John Barr, 203 E. Colorado Blvd.

Councilmember Garcia moved to defer the item until the January 26, 2005 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0160

05-0161

**Oak Cliff Gateway TIF District**

**Note:** Item Nos. 38 and 39 must be considered collectively.

- Item 38: \* Authorize (1) a development agreement with Top Dog - Oak Cliff, L.P., to provided for the funding of design and construction of public improvements for the renovation of Lake Cliff Tower building to produce 60 luxury condominiums located at 329 E. Colorado Boulevard and the new construction of 32,500 square feet of retail space on the adjoining and adjacent properties at 1300 N. Zang Boulevard and 1335 N. Zang Boulevard in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and (2) the establishment of appropriations in an amount not to exceed \$4,100,000 in the Oak Cliff Gateway TIF District Fund - \$4,100,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds
- Item 39: \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Three (Oak Cliff Gateway TIF District), to reimburse Top Dog - Oak Cliff, L.P., for the funds advanced pursuant to a development agreement between the City of Dallas and Evergreen Realty Partners, L. P., in an amount not to exceed \$4,100,000 plus interest, for certain public improvements related to the redevelopment of the Lake Cliff Tower building to produce 60 luxury condominiums located at 329 E. Colorado Boulevard and the new construction of 32,500 square feet of retail space on the adjoining and adjacent properties at 1300 N. Zang Boulevard and 1335 N. Zang Boulevard in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) - \$4,100,000 - Financing: To be advanced by a private developer and reimbursed from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds

Councilmember Rasansky requested that consent agenda item 38 be considered as an individual item. Mayor Miller stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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Later in the meeting, agenda item 38 was brought up for consideration.

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

Councilmember Garcia moved to approve the item with the change from commercial to retail for 1300 N. Zang Blvd. and that the total private investment for 1300 N. Zang Blvd is \$19,000 for public improvements.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0162

Item 40: Authorize a contract with Welcome House, Inc. to provide facility based housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$237,299 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0163

Item 41: Authorize (1) the application for and acceptance of grant funds in the amount of \$59,200 from the Office of the Governor, Criminal Justice Division, Victims of Crime Act/Crime Victim Assistance Program for the provision of services for elderly victims of abuse for the period July 1, 2005 through June 30, 2006, (2) a local match in the amount of \$15,887, and (3) execution of the grant agreement - Total not to exceed \$75,087 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$59,200) and Current Funds (\$15,887)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0164

Item 42: Authorize a contract with AIDS Services of North Texas, Inc. to provide scattered site housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$129,137 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0165

Item 43: Authorize a contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$89,052 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0166

Item 44: Authorize a contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide Housing Opportunities for Person with AIDS facility based housing assistance for the period March 1, 2005 through September 30, 2005, with two twelve-month renewal options - Not to exceed \$518,122 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$509,091) and 2003-04 Housing Opportunities for Persons with AIDS Grant Funds (\$9,031)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0167

Item 45: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide Housing Opportunities for Persons with AIDS scattered site housing assistance for the period March 1, 2005 through September 30, 2005 - Not to exceed \$892,473 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0168

Item 46: Authorize the reallocation of Urban Development Action Grant Funds from the Department of Development Services to Environmental and Health Services to provide a career preparation and training program for residents of West Dallas - Not to exceed \$155,000 - Financing: Urban Development Action Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0169

Item 47: Authorize an amendment to the Program Statement for the Residential Development Acquisition Loan Program providing for the acquisition of improved and unimproved properties and demolition of improved properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0170

Item 48: Authorize (1) a public hearing to be held on January 26, 2005 to receive citizens' comments on the proposed private sale by quitclaim deed of 6 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Foundation for Housing Resources, Inc., a qualified non-profit organization and (2) at the close of the hearing, consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0171

Item 49: Authorize the reconstruction on-site of five homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 2914 Spurlock Street, 1718 Dennison Street, 4004 Finis Lane, 1949 Gallagher Street, and 4030 Puget Street - Not to exceed \$70,000 each for a total not to exceed \$350,000 - Financing: 2004-05 HOME Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0172

Item 50: Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to upgrade traffic signal hardware at seven intersections located throughout the City using funds from the federal Hazard Elimination Program administered by TxDOT; and, (2) a local match in an amount not to exceed \$33,036 - Total not to exceed \$33,036 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0173

Item 51: Authorize Supplemental Agreement No. 3 to the License Agreement with the City of Inglewood, California for a 3-month extension for the continued operation of the parking management information system from February 1, 2005 to April 30, 2005 - \$100,803 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0174

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 52-58 and addendum additions 10-12, were presented for consideration.

Agenda items 55 and 56 were removed from the consent zoning docket, to be considered as an individual hearing.

Agenda item 52: Zoning Case Z034-224 (DW)	
<del>Agenda item 53: Zoning Case Z034-302 (WE)</del>	<b>[Deleted]</b>
Agenda item 54: Zoning Case Z034-312 (RB)	
<del>Agenda item 55: Zoning Case Z034-334 (RB)</del>	<b>[Considered individually]</b>
<del>Agenda item 56: Zoning Case Z045-102 (MM)</del>	<b>[Considered individually]</b>
Agenda item 57: Zoning Case Z045-103 (MM)	
Agenda item 58: Zoning Case Z045-105 (MM0)	
Addendum addition 10: Zoning Case Z045-106 (WE)	
Addendum addition 11: Zoning Case Z034-303 (WE)	
Addendum addition 12: Zoning Case Z045-115 (RB)	

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.

Mayor Pro Tem Loza moved to close the public hearing, accept the recommendations of the city plan commission in the consent zoning cases and pass the ordinances and the resolutions subject to a development plan and conditions and deed restrictions submitted by the applicant as presented as part of the consent zoning docket.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0175

Item 52: Zoning Case Z034-224 (DW)

Zoning Case Z034-224(DW), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication for a monopole cellular tower on property zoned a CR Community Retail District on the northeast corner of Lancaster Road and Kiest Boulevard.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25842.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0176

Item 53: Zoning Case Z034-302 (WE)

Zoning Case Z034-302 (WE), an application for and an ordinance granting an amendment to, and an expansion of, Planned Development District No. 640 for an Open enrollment charter school on property zoned an MU-1 Mixed Use District, an MF-2(A) Multifamily District, and Planned Development District No. 640 on properties on all four corners at the intersection of Annex Avenue and Bryan Street.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0177

Item 54: Zoning Case Z034-312 (RB)

Zoning Case Z034-312 (RB). an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1522 for an Open-enrollment charter school on property zoned an RR Regional Retail District and an MF-2(A) Multifamily District on the south side of Ledbetter Drive, west of Hampton Road.

(The city plan commission recommended approval, subject to a revised site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25843.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0178

Item 55: Zoning Case Z034-334 (RB)

The consent zoning docket, consisting of agenda items 52-58, and addendum additions 10-12, were presented.

Councilmember Greyson requested that consent zoning docket item 55 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 55 would be removed from the consent zoning docket to be called a san individual hearing, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z034-334 (RB), an application for and an ordinance granting a Planned Development District for RR Regional Retail District Uses and Multifamily Uses on property zoned an RR Regional Retail District on the southeast corner of Arapaho Road and Prestonwood Boulevard and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval, subject to a conceptual plan, conditions, and deed restrictions volunteered by the applicant.

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

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

Kirk Williams, 5400 Renaissance Tower, representing the applicant

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

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Greyson voting "No". (Hill, Thornton Reese, Salazar absent when vote taken)

Assigned ORDINANCE NO. 25844.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0179

Item 56: Zoning Case Z034-102 (MM)

The consent zoning docket, consisting of agenda items 52-58, and addendum additions 10-12, were presented.

Councilmember Fantroy requested that consent zoning docket item 56 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 56 would be removed from the consent zoning docket to be called a san individual hearing, there being no objection voiced to Councilmember Fantroy's request.

A public hearing was called on zoning case Zoning Case Z034-102 (MM), an application for and an ordinance granting an RR Regional Retail District on property zoned an MU-2 Mixed Use District on the south side of Camp Wisdom Road, west of South Westmoreland Avenue, and north of Interstate 20 and a resolution accepting deed restrictions volunteered by the applicant.

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

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

Byron Darning, 901 Main St.

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

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

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Hill, Thornton Reese absent when vote taken)

Assigned ORDINANCE NO. 25845.

**Note: No semi tractor truck transporting motor vehicles on the premises.**



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0180

Item 57: Zoning Case Z034-103 (MM)

Zoning Case Z034-103 (MM), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Bruton Road, east of St. Augustine Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25846.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0181

Item 58: Zoning Case Z034-105 (MM)

Zoning Case Z034-105 (MM), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR Community Retail District; an ordinance granting the termination of Specific Use Permit No. 360 for a miniature golf course, game room, batting cages with related office space; and an ordinance granting a Specific Use Permit for Private Streets on property zoned an R-7.5(A) Single Family District and a CR Community Retail District on the south side of Northwest Highway, east of Lake Highlands Drive.

(The city plan commission recommended approval of an R-7.5(A) Single Family District on property zoned a CR Community Retail District; approval of a Specific Use Permit for private streets for a permanent time period, subject to a site plan and conditions; and approval of termination of Specific Use Permit No. 360.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25847, ORDINANCE NO. 25858 and ORDINANCE NO. 25958.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0182

Item 59: PUBLIC HEARING - DEVELOPMENT CODE AMENDMENTS

A public hearing was called on consideration of and an ordinance granting an amendment to Chapter 51P of the Dallas Development Code by codifying the regulations of Planned Development District Nos. 301 through 304, 306 through 313, 315 and 316, 318 through 321, 323 through 327, 329 through 349, 351 through 360, 362 through 365, 367 through 374, 377 through 380 and 382 through 400.

(The city plan commission recommended approval.)

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

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

Motion seconded by Councilmember Griffith and unanimously adopted.

Assigned ORDINANCE NO. 25850.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0183

Item 60: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2003-2005 board term updated through January 12, 2005.

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

Councilmember Finkelman moved to appoint all the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2005.

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

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

**05-0211 BOA BOARD OF ADJUSTMENT**  
**05-0212 CAC CULTURAL AFFAIRS COMMISSION**  
**05-0213 PAR PARK AND RECREATION BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0184

Item 61: Authorize hardship relief for property located at 914 W. Commerce Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0185

Item 62: Authorize hardship relief for property located at 3860 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0186

Item 63: Authorize (1) public disclosure of a conflict of interest involving Edward Griffin, Senior Contract Compliance Administrator for the Environmental and Health Services Department and Yolanda Caldwell, sister of Edward Griffin, who is the Program Director of the YMCA Oak Cliff Branch, an organization receiving Community Development Block Grant Funds from the City, in compliance with U.S. Department of Housing and Urban Development directives governing Community Development Block Grant conflict of interest provisions, and (2) a request for waiver from the U.S. Department of Housing and Urban Development - Financing: No cost consideration to the City

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0187

Item 64: Authorize (1) a Participation Agreement with the Dallas Independent School District for construction of a traffic signal at Beckleymeade Avenue and Polk Street, (2) the receipt and deposit of funds from the Dallas Independent School District in an amount not to exceed \$150,000, and (3) an increase in appropriations in the amount of \$150,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$150,000 - Financing: Private Funds

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

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Blaydes abstain)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0188

Item 65: Authorize the preparation of plans for the issuance of \$245,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2005 - Financing: This action has no cost consideration to the City

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0189

Item 66: Authorize a public hearing to be held on February 9, 2005, to receive citizens' comments on the proposed change of use and sale of approximately 1.81 acres of land, being all of Crockett Park located at 501 Carroll Avenue, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City

The following individual addressed the city council regarding the item:

Julian Peterson, 4203 Junius St., representing Millcreek Homeowners Association

Mayor Pro Tem Loza moved to not authorize a public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0190

Item 67: Authorize a public hearing to be held on February 9, 2005, to receive citizens' comments on the proposed change of use and sale of approximately 1.15 acres of land, being part of Buckner Park located at 4550 Worth Street, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City

The following individual addressed the city council regarding the item:

Julian Peterson, 4203 Junius St., representing Millcreek Homeowners Association

Mayor Pro Tem Loza moved to not authorize a public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0191

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Jacinto Jesus Mejia v. City of Dallas, Cause No. 3:03-CV-0352-K
- Lorenzo Escamilla v. City of Dallas, et al., Cause No. 3:03-CV-0848-K
- Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K
- George Sifuentez v. City of Dallas, et al., Cause No. 3:03-CV-0961-K
- Yvonne Gywn v. Mark DeLaPaz, et al., Cause No. 3:03-CV-2121-K
- Everett & Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K
- Chavez, et al. v. DeLaPaz, et al., Cause No. 3:04-CV-0510-K
- Pineda v. City of Dallas, et al., Cause No. 3:04-CV-0071-K
- Legal issues involving sexually oriented business license for 2461 N. Stemmons Freeway

A closed session was held as authorized by Chapter 551, "OPEN MEETINGS," of the Texas Open Meetings Act) to discuss the following matters:

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Jacinto Jesus Mejia v. City of Dallas, Cause No. 3:03-CV-0352-K
- Lorenzo Escamilla v. City of Dallas, et al., Cause No. 3:03-CV-0848-K
- Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K
- George Sifuentez v. City of Dallas, et al., Cause No. 3:03-CV-0961-K
- Yvonne Gywn v. Mark DeLaPaz, et al., Cause No. 3:03-CV-2121-K
- Everett & Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K
- Chavez, et al. v. DeLaPaz, et al., Cause No. 3:04-CV-0510-K
- Pineda v. City of Dallas, et al., Cause No. 3:04-CV-0071-K

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0192

Addendum addition 1: Authorize Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc. for assistance with the preparation of the City of Dallas' Municipal Separate Storm Sewer System permit re-application - \$146,206, from \$463,528 to \$609,734 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0193

Addendum addition 2: Authorize rescinding the contract with Key Construction for historic facade restoration of the building at 1530 Main Street (Dallas National Bank Building) and the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0194

Addendum addition 3: A resolution declaring approximately 5,212 square feet of undevelopable City-owned land located on Hillcrest Road near its intersection with Starbuck Drive, unwanted and unneeded and authorize its sale to Magen David Congregation, the abutting owner - Revenue: \$18,763

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0195

Addendum addition 4: An ordinance abandoning a portion of the old Hillcrest Road to Magen David Congregation, the abutting owner, containing approximately 9,486 square feet of land located near its intersection with Starbuck Drive, and authorizing the quitclaim  
- Revenue: \$30,830 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25851.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0196

Addendum addition 5: Authorize a professional services contract with the law firm of Hunton & Williams for legal services and related expenses necessary in the lawsuit styled Terrell Bolton v. City of Dallas, Texas, and City Manager Teodoro Benavides, in his official and individual capacities, Civil Action No. 3-04-CV-0501-R and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0197

Addendum addition 6: Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Offices of Deborah Hankinson PC, for legal services necessary in the lawsuit styled City of Dallas v. Kenneth E. Albert, et al, Case No. 05-03-01297-CV, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$50,000, from \$60,000 to \$110,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0198

Addendum addition 7: Authorize settlement of the lawsuit styled Shirley Duran v. City of Dallas and United National Insurance Company v. City of Dallas, Cause No. 03-11256-H - \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0199

Addendum addition 8: Authorize a public hearing to be held on February 23, 2005 to receive citizens' comments on the reallocation of \$232,547 in Housing Opportunities for Persons with AIDS Grant Funds in the FY 1990-00 Consolidated Plan Budget - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0200

Addendum addition 9: Authorize the Retail Recruitment Initiative Criteria establishing the Implementation Policy for the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City

Councilmembers Rasansky and Lill requested that addendum addition item 9 be considered as an individual item. Mayor Miller stated that addendum addition item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Rasansky and Lill's request.

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

Councilmember Lill moved to approve the item with the following changes:

1. Authorize encumbrance and expenditure of the remaining \$1,852,500 Retail Recruitment Initiative Funds.
2. Authorize the City Manager to execute grant agreements in accordance with the Main Street District Loan and Grant Program's Retail Recruitment Initiative and the Retail Recruitment Initiative Criteria herein.
3. Authorize amendments to Exhibit A of Resolution Number 03-2884, approved on October 22, 2003, to reflect authority of City Manager to make final determination of grants.

Motion seconded by Mayor Pro Tem Loza.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Mayor Miller and Councilmember Rasansky voting "No". (Hill, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0201

Addendum addition 10: Zoning Case Z045-106 (WE)

Zoning Case Z045-106 (WE), an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses; CR Community Retail District uses; TH-3(A) Townhouse District uses; private recreation center, club or area; open spaces; and a private street on property zoned an MF-2(A) Multifamily District, a CR Community Retail District, a TH-3(A) Townhouse District and an R-7.5(A) Single Family District on the east line of Abrams Road, south of Forest Lane.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25852.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0202

Addendum addition 11: Zoning Case Z034-303 (WE)

Zoning Case Z034-303 (WE), an application for and an ordinance granting a Planned Development Subdistrict for MF-3 Multiple Family Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict, MF-3-D Multiple Family Subdistrict with a D Dry Liquor Control Overlay and Planned Development Subdistrict 30 for Multiple Family Subdistrict uses with SUP No. 1376 for a Community Service Center within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Reagan Avenue, Brown Street, Shelby Avenue and Fairmount Avenue, and an ordinance granting the removal of SUP No. 1376 on a portion of the site.

(The city plan commission recommended approval, subject to a conceptual plan and conditions with retention of the D Dry Liquor Control Overlay and approval of the removal of Specific Use Permit No. 1376 on a portion of the site.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25853.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0203

Addendum addition 12: Zoning Case Z045-115 (RB)

Zoning Case Z045-115 (RB), an application for and an ordinance granting an amendment to, and expansion of, Planned Development Subdistrict No. 30 for Multiple Family Subdistrict Uses, and an ordinance granting an amendment to, and expansion of, Specific Use Permit No. 1376 for a Community service center on property zoned an MF-2 Multiple Family Subdistrict and Planned Development Subdistrict No. 30 in Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Reagan Street and Brown Street .

(The city plan commission recommended approval of an amendment to and expansion of Planned Development Subdistrict No. 30 and approval of an amendment to and expansion of Specific Use Permit No. 1376, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25854 and ORDINANCE NO. 25855.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 12, 2005

05-0204

Addendum addition 13: Public Hearing – Zoning Case Z045-144 (DC)

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

A public hearing was called on zoning case Z045-144 (DC), a City Plan Commission authorized hearing to determine proper zoning on property zoned a CA-1(A) Central Area District on the southwest corner of Cadiz Street and Ervay Street with consideration given to a Planned Development District for a homeless assistance center and those uses allowed in a CA-1(A) Central Area District and ordinances granting a Planned Development District and a Specific Use Permit for a homeless assistance center.

(The city plan commission recommended approval of a Planned Development District for CA-1(A) Central Area District uses and a homeless assistance center use subject to a conceptual plan and conditions and approval of a Specific Use Permit for a homeless assistance center use for a period to end January 31, 2006, subject to a site plan and conditions.)

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 511.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

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

Peter Kavanagh, 1620 Handley, representing the owner  
John Rader, 4428 Amherst  
Jack Harper, (no address given)  
Herschel Weisfeld, (no address given)

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

Billy Henderson, (no address given)

Randy Wilkes, (no address given)

Cindy Haney (no address given)

Nathan Rivers, (no address given)

Councilmember Lill moved to close the public hearing and accept the recommendation of the city plan commission with the following changes:

In the ordinance referenced security – A minimum of four uniformed security guards must be provided whenever the homeless assistance center is open. A security plan must be provided by the Dallas Police Department for the homeless assistance center and the area within 1,000 feet of the homeless assistance center.

Motion seconded by Councilmember Finkelman.

After discussion, Mayor Miller called the vote on the motion:

Voting Yes: [13] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar,  
Chaney, Fantroy, Griffith, Finkelman, Greyson, Lill

Voting No: [2] Rasansky, Blaydes

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25856 and ORDINANCE NO. 25857.

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Addendum addition 14: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public hearing was called on consideration of amendments to Chapters 51 and 51A of the Dallas Development Code to create a new use for a homeless assistance center and establish appropriate standards for the use with consideration also given to amending the standards for an overnight general purpose shelter use and an ordinance implementing the amendments.

(The city plan commission recommended no change.)

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

Mayor Pro Tem Loza moved to refer the Development Code Amendment ordinance to the city plan commission.

Motion seconded by Councilmember Chaney and unanimously adopted.

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05-0206

Addendum addition 15: Authorize the acceptance of a settlement agreement and conveyance from Hamsher International, Ltd. of approximately 17,400 square feet of land improved with a 7-story parking garage located at the intersection of Commerce and Harwood Streets in lieu of approximately \$709,592 in delinquent hotel occupancy taxes and water liens, plus the City's proportionate share of ad valorem taxes - Financing: No cost consideration to the City

Mayor Pro Tem Loza moved to approve the item.

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

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05-0207

Addendum addition 16: A resolution increasing the annual base salary of Acting City Manager, Mary K. Suhm, to \$250,000, and rescinding the compensation provisions of Resolution No. 04-3567, previously approved on December 20, 2004 (Mayor Miller)

Deputy Mayor Pro Tem Hill approve the resolution.

Motion seconded by Councilmember Fantroy.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Greyson voting "No".

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05-0208

Addendum addition 17: A resolution endorsing the River of Trade Corridor Coalition, a coalition comprised of community and business representatives all along IH-35 and IH-30 from Laredo to Texarkana, via Dallas, which is commonly referred to as the historic North American Free Trade Agreement (NAFTA) Trade Corridor, and its initiative to ensure the NAFTA trade industry's long-term use of the historic NAFTA Trade Corridor - Financing: No cost consideration to the City

Councilmember Greyson moved to approve the resolution.

Motion seconded by Councilmember Chaney and unanimously adopted.

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05-0209

Addendum addition 18: Authorize (1) a correction to the personnel records of three employees to change their employment status from “temporary” to “permanent”; and, (2) payment of associated City pension contributions and interest to the Employees’ Retirement Fund - Total not to exceed \$17,190 - Financing: Current Funds (\$7,110), Building Inspection Current Funds (\$10,080)

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

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05-0210

Addendum addition 19: Authorize a Pension Obligation Bond Agreement with the Employees' Retirement Fund of the City of Dallas in anticipation of Pension Obligation Bond issuance - Financing: No cost consideration to the City

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

Councilmember Fantroy moved to approve the item.

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



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EXHIBIT C

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