

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 13, 2005

05-1100

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

PRESENT: [14] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney,
Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill

ABSENT: [1] Fantroy

The meeting was called to order at 9:24 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 9:15 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.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 13, 2005

EXHIBIT A

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 13, 2005

EXHIBIT B

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1101

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: Albert T. Parker, 6319 Elam Rd., (Dist. 5)(Not Given)
SUBJECT: No NBA for Dallas

SPEAKER: Steven Meeks, 1700 Lakeview Dr., (Dist. 4)(214-948-1714)
SUBJECT: Services in our neighborhood and code

SPEAKER: Bill Sengelmann, 2210 Canton St., (Dist. 14)(214-802-6255)
REPRESENTING: Camden Living Excellence
SUBJECT: Location of homeless assistance center

SPEAKER: Roy Williams, 5881 Prestonview Blvd., (Dist. 11)(214-929-8200)
SUBJECT: 14-1 vs. Strong Mayor

SPEAKER: Jack Harper, 904 S. Ervay St., (Dist. 2)(214-744-4646)
REPRESENTING: Harper House Inc.
SUBJECT: Location of homeless assistance center

ALL AGENDA ITEMS:

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd., (Dist. 7) (214-763-3421)
REPRESENTING: Citizens organized for a representative democracy

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

SPEAKER: William Hopkins, 2011 Leath St. (Dist. 3) (214-631-6620)
SUBJECT: Civil rights violation against the Mayor, City Secretary & Trinity River Plan

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1102

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 February 23, and March 9, 2005 City Council Meetings

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1103

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-81 and addendum addition consent agenda items 1-4, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 23 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedures.

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 37 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedures.

Councilmember Rasansky requested that consent agenda items 11, 16, 24, 39, 41, 58, 62, 64, 67, 68, 72 and 81 be considered as individual items. Mayor Miller stated that consent agenda items 11, 16, 24, 39, 41, 58, 62, 64, 67, 68, 72 and 81 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

The acting city attorney requested that consent agenda item 81 be considered as an individual item in order for the city council to be briefed. Mayor Miller stated that consent agenda item 81 would be considered as an individual item later in the meeting, there being no objection voiced to the acting city attorney's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 23, which was deleted; consent agenda item 37, which was deferred and consent agenda items 11, 16, 24, 39, 41, 58, 62, 64, 67, 68, 72, and 81 which would be considered later in the meeting.

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

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1104

Item 2: Authorize a professional services contract with Perkins & Will-CRA, LLP to provide schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for the South Central Police Station located near Camp Wisdom Road and Lancaster Road - \$1,262,419 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1105

Item 3: Authorize professional services contracts with 10 consulting firms for the engineering design of 2 alley reconstruction projects, 9 bridge repair and modification projects, 3 erosion control projects, 3 flood management projects and 4 State-Thomas TIF District projects (list attached) - \$4,609,560 - Financing: 1995 Bond Funds (\$526,000), 1998 Bond Funds (\$2,419,960), 2003 Bond Funds (\$192,880), Water Utilities Capital Improvement Funds (\$74,000), State-Thomas TIF District Funds (\$670,096), Current Funds (\$726,624 to be reimbursed from Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1106

Item 4: **Dallas Parkway from Briargrove Lane to the railroad north of President George Bush Turnpike**

Note: Item Nos. 4 and 5 must be considered collectively.

- * Authorize **(1)** a professional services contract with Parsons Brinckeroff Quade & Douglas, Inc. to provide engineering services for paving and drainage improvements on Dallas Parkway from Briargrove Lane to the railroad north of President George Bush Turnpike, **(2)** the receipt and deposit of funds from Collin County in an amount not to exceed \$128,530; and, **(3)** an increase in appropriations in the amount of \$128,530 in the Capital Projects Reimbursement Fund - Total not to exceed \$257,060 - Financing: 2003 Bond Funds (\$128,530), Collin County Funds (\$128,530)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1107

Item 5: **Dallas Parkway from Briargrove Lane to the railroad north of President George Bush Turnpike**

Note: Item Nos. 4 and 5 must be considered collectively.

- . * Authorize an Interlocal Agreement with Collin County for design and construction of paving and drainage improvements on Dallas Parkway from Briargrove Lane to the railroad north of President George Bush Turnpike - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1108

Item 6: Authorize a professional services contract with RJN Group, Inc., to provide engineering services for the replacement or rehabilitation of water and wastewater mains in an area bounded by R. L. Thornton Freeway, Tom Landry Highway, Loop 12 Buckner Blvd., Scyene Road, Masters Drive, C. F. Hawn Freeway, Belt Line Road, Dowdy Ferry Road, LBJ Freeway, Mountain Creek Parkway, Merrifield Road, Davis Street and Loop 12 Walton Walker Blvd. (list attached) - \$1,430,830 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1109

Item 7: Authorize a professional services contract with Lopez Garcia Group to provide engineering services for the design to replace and rehabilitate wastewater mains and the associated water mains in various locations, and a study of the receiving interceptor alignment to determine the constructability of the wastewater mains (list attached) - \$1,798,770 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1110

Item 8: Authorize a professional services contract with Dal-Tech Engineering, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in various locations (list attached) - \$1,638,550 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1111

Item 9: Authorize a contract for replacement of the gym floor at Singing Hills Recreation Center located at 1909 Crouch Road - Z Floor Co. LTD, lowest responsible bidder of three - \$50,147 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1112

Item 10: Authorize a contract for roof replacement, Phase II, wall repairs and plaza repairs at the J. Erik Jonsson Central Library located at 1515 Young Street - Chamberlin Dallas, Ltd., lowest responsible bidder of five - \$2,336,123 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1113

Item 11: Authorize a contract for the new interactive bird exhibit at the Dallas Zoo located at 650 South R. L. Thornton Freeway with Turner Construction Company, best value proposer of two in the amount of \$657,534 - Total not to exceed \$657,534 - Financing: 2003 Bond Funds (\$603,534) and 2004 Certificates of Obligation (\$54,000)

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

Later in the meeting, agenda item 11 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Loza, Hill absent when vote taken, Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1114

Item 12: Authorize a contract for the construction of gabion retaining walls, a basketball court and drinking fountain at Hamilton Park (Cottonwood Creek) located at 12100 Willowdell - Groves Electrical Service, Inc., lowest responsible bidder of three - \$223,800 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1115

Item 13: Authorize a contract for playground equipment, a basketball court and site furnishings at Teagarden Place Park located at 9300 Crimson Court - JDC Construction, lowest responsible bidder of seven - \$130,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1116

Item 14: Authorize a contract for the 2005 Asphaltic Concrete Street Resurfacing Group 1 on various improved streets (list attached) - JRJ Paving, LP, lowest responsible bidder of five - \$7,326,072 - Financing: 2003 Bond Funds (\$7,095,770), Current Funds (\$100,517), Water Utilities Capital Construction Funds (\$129,785)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1117

Item 15: Authorize a contract for the 2005 Asphaltic Concrete Street Resurfacing Group 2 on various improved streets (list attached) - Austin Bridge & Road, LP, lowest responsible bidder of four - \$7,274,285 - Financing: 2003 Bond Funds (\$7,127,310), Water Utilities Capital Construction Funds (\$146,975)

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1118

Item 16: Authorize **(1)** a contract for gorilla habitat and exhibit modifications at the Dallas Zoo located at 650 South R.L. Thornton Freeway with Turner Construction Company, best value proposer of two in the amount of \$1,805,615; **(2)** the acceptance of private donations from the Dallas Zoological Society in the amount of \$500,000; and, **(3)** the establishment of appropriations in the amount of \$500,000 in the Dallas Zoo Trust Fund - Total not to exceed \$1,805,615 - Financing: 2003 Bond Funds (\$1,555,615) and Dallas Zoo Trust Funds (\$250,000)

Councilmember Rasansky requested that consent agenda item 16 be considered as an individual item. Mayor Miller stated that consent agenda item 16 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 16 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1119

Item 17: Authorize Supplemental Agreement No. 3 to the contract with Johnson/McKibben Architects, Inc. to provide schematic design, design development, construction documents, bidding and construction administration services for the gorilla habitat and exhibit modifications at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$180,500, from \$140,200 to \$320,700 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1120

Item 18: Authorize Supplemental Agreement No. 1 to the contract with Charles Gojer and Associates, Inc., for engineering design and construction administration services for replacement of the fire exit stairs at Majestic Theater located at 1925 Elm Street - \$35,900, from \$12,700 to \$48,600 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1121

Item 19: Authorize **(1)** Supplemental Agreement No. 2 to the contract with HNTB Corporation to provide additional engineering services to redesign a triple-box culvert near Ferguson Road on Samuell Boulevard from IH 30 to Mesquite city limits in the amount of \$22,601, from \$1,291,018 to \$1,313,619; **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$18,081; and, **(3)** an increase in appropriations in the amount of \$18,081 in the Capital Projects Reimbursement Fund - Total not to exceed \$22,601 - Financing: 1998 Bond Funds (\$4,520), Texas Department of Transportation Funds (\$18,081)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1122

Item 20: Authorize an increase in the contract with Omega Contracting, Inc. for additional work associated with the replacement of water and wastewater main improvements (list attached) - \$1,667,326, from \$11,985,547 to \$13,652,873 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1123

Item 21: Authorize an increase in the contract with Cajun Constructors, Inc. for additional work associated with hydraulic improvements at the Bachman Water Treatment Plant - \$336,045, from \$18,325,000 to \$18,661,045 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1124

Item 22: Authorize Supplemental Agreement No. 1 to the contract with Turner Collie & Braden, Inc. to provide engineering services for the design of three critical sections of the Wintergreen pipeline - \$2,900,000, from \$12,804,000 to \$15,704,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1125

Item 23: Authorize reimbursement to the Dallas Zoological Society for the purchase and installation of life support systems for a fish quarantine building for the Betty Moroney Norsworthy otter exhibit at the Dallas Zoo located at 650 South R.L. Thornton Freeway - Not to exceed \$60,339 - Financing: Dallas Zoo Trust Funds

Deleted on the addendum to the agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1126

Item 24: Authorize **(1)** cancellation of the Inwood Road from Forest Park Road to Lemmon Avenue project from the 2003 Bond Program, **(2)** reprogramming of 2003 Bond Funds from the Inwood Road from Forest Park Road to the Lemmon Avenue project to Motor Street from IH 35E to Medical Center Drive, **(3)** termination of the Interlocal Agreement with the Texas Department of Transportation for design and construction of paving, storm drainage, water and wastewater improvements on Inwood Road from Forest Park Road to Lemmon Avenue, and **(4)** the receipt and deposit of local share reimbursements from the Texas Department of Transportation for Inwood Road from Forest Park Road to Lemmon Avenue in an amount not to exceed \$10,989 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda item 24 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 24 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Loza, Hill, Thornton Reese, Greyson absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1127

Item 25: Authorize payment to Dallas County for the City's share of construction of paving, drainage, water and wastewater main improvements on Linfield Road from Illinois Avenue to SH 310 - \$926,784 - Financing: 2003 Bond Funds (\$546,000), Water Utilities Capital Improvement Funds (\$355,844), Water Utilities Capital Construction Funds (\$24,940)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1128

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Texas Rosewin Midway, Inc., of approximately 5,693 square feet of land located near the intersection of Jefferson Boulevard and Madison Avenue for the Oak Cliff Arts Incubator/Cultural Center Project - \$375,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1129

Item 27: Authorize settlement in lieu of proceeding further with condemnation of Ruiz Contracting, Inc. and Pauletta Jolley Ruiz for a tract of land containing approximately 285,100 square feet of land located near the intersection of Martin Luther King, Jr. Boulevard and Cedar Crest Boulevard for the Trinity River Corridor Project - \$25,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1130

Item 28: A resolution declaring approximately 6,951 square feet of undevelopable City-owned land unwanted and unneeded located near the intersection of Vernon and Tyler Streets and authorizing its sale to Raleigh F. Davis and Helen E. Davis, the abutting owners - Revenue: \$3,476

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1131

Item 29: A resolution declaring approximately 76,918 square feet of City-owned land located at the intersection of Wheatland and Clark Roads unwanted and unneeded and authorizing its advertisement for sale by sealed bids with a minimum bid of \$462,000
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1132

Item 30: A resolution authorizing conveyance of an easement and right-of-way to TXU Electric Delivery Company containing approximately 50 square feet of land located near the intersection of Oaklawn Avenue and the North Dallas Tollway - Financing: No cost consideration to the City

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1133

Item 31: A resolution declaring **(1)** approximately 27,942 square feet of City-owned land located near the intersection of Blue Ridge Boulevard and Westmoreland Road unwanted and unneeded, and authorizing its advertisement for sale by sealed bid with a minimum bid of \$21,000; and **(2)** approximately 82,879 square feet of City-owned land located near the intersection of S. Belt Line Road and Biggs Street unwanted and unneeded, and authorizing its advertisement for sale by sealed bid with a minimum bid of \$48,880 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1134

Item 32: An ordinance abandoning a portion of a sanitary sewer easement to WAK/F-2, L. P., the abutting owner, containing approximately 375 square feet of land located near the intersection of Bruton and St. Augustine Roads and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25928

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1135

Item 33: An ordinance abandoning a portion of a storm sewer easement to Gary D. Henry and Suzanne S. Henry, the abutting owners, located near the intersection of Glendora Street and Hillcrest Road and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25929

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1136

Item 34: Authorize the conveyance of a wastewater easement containing approximately 18,165 square feet of land to the City of Rowlett for the replacement of an existing sewer line located near the intersection of SH 66 and Dexham Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1137

Item 35: An ordinance abandoning and relinquishing a drainage easement to Morning Park, Inc., the abutting owner, containing approximately 44,008 square feet of land located near the intersection of Chalk Hill Road and I.H. 30 and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25930

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1138

Item 36: Authorize a thirty-six-month price agreement for disposable kitchen and janitorial paper products with the lowest responsible bidders of five - M A N S Distributors, Inc. in the amount of \$1,813,076 and Janitors Market, LLC in the amount of \$1,896 - Total not to exceed \$1,814,972 - Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1139

Item 37: Authorize a twenty-four-month service contract for non-emergency wrecker services with the lowest responsible bidders of six - Taylor's Wrecker Service in the amount of \$455,685, Recovery Systems, Inc., DBA/Pro-Tow in the amount of \$368,440, and Lindy Lott Wrecker Service, Inc. in the amount of \$19,500 - Total not to exceed \$843,625 - Financing: Current Funds (\$828,225) and Confiscated Monies Funds (\$15,400)

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 37 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedures.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1140

Item 38: Authorize a five-year service contract for maintenance and repair of the heating, ventilation, and air conditioning systems at the Dallas Convention Center and Reunion Arena with SWE, Inc. dba Southwest Engineers, lowest responsible bidder of two - Not to exceed \$185,022 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1141

Item 39: Authorize a professional services contract with SBC DataComm through Department of Information Resources, State of Texas GoDirect Program contract for the purpose of developing a technical migration plan, and technology roadmap for the Information Technology Security Project - Not to exceed \$240,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 39 be considered as an individual item. Mayor Miller stated that consent agenda item 39 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 39 was brought up for consideration.

Councilmember Rasansky 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 Oakley moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Rasansky abstain; Loza, Hill, Thornton Reese, Greyson, absent when vote taken; Fantroy absent).

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1142

Item 40: Authorize a sixty-month rental and maintenance agreement, with two twelve-month renewal options, for automated car washes and high pressure wash equipment with the lowest responsible bidders of two - Pro-Tech Service Co., Inc. in the amount of \$2,465,450 and Grant Sales Inc. in the amount of \$317,135 - Total not to exceed \$2,782,585 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1143

Item 41: Authorize **(1)** rescinding the twelve-month price agreement with Metro Ford for asphalt trucks in the amount of \$162,206; previously approved on November 10, 2004 by Resolution No. 04-3262; **(2)** a price agreement with Southwest International in the amount of \$168,022; and, **(3)** an increase in the price agreement for nineteen additional vehicles with Friendly Chevrolet in the amount of \$114,654, Sonic-Lute Riley, L. P. dba Lute Riley Honda in the amount of \$87,848, Sam Packs Five Star Ford in the amount of \$209,341 - Total not to exceed \$417,659, from \$14,777,239 to \$15,194,898 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$5,816), Water Utilities Current Funds (\$255,535), Current Funds (\$156,308)

Councilmember Rasansky requested that consent agenda item 41 be considered as an individual item. Mayor Miller stated that consent agenda item 41 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 41 was brought up for consideration.

Councilmember Oakley moved to approve the item.

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 Rasansky voting "No". (Loza, Hill, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1144

Item 42: Authorize a twenty-four-month service contract for removal and disposal of waste collected in sand, grease traps and septic tanks with the lowest responsible bidders of four - PSC Recovery Systems, Inc. in the amount of \$466,074 and American Liquid Control in the amount of \$18,635 - Total not to exceed \$484,709 - Financing: Current Funds (to be partially reimbursed from Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1145

Item 43: Authorize **(1)** rescinding the twelve-month price agreement with Crescent Machinery for air compressors previously approved on December 8, 2004 by Resolution No. 04-3441; and, **(2)** a twelve-month price agreement with the lowest responsible bidder of fourteen - Stewart & Stevenson Services, Inc. - Not to exceed \$63,864 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$42,576), Current Funds (\$21,288)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1146

Item 44: Authorize a twenty-four-month price agreement for plumbing parts with the lowest responsible bidders of four - Goodman Supply Co. in the amount of \$90,709, Triangle Supply Co. in the amount of \$20,454, and Romar Supply, Inc. in the amount of \$5,018 - Total not to exceed \$116,183 - Financing: Current Funds (\$105,643), Water Utilities Current Funds (\$10,540)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1147

Item 45: Authorize a thirty-six-month price agreement for fire hoses with the lowest responsible bidder of two - Dooley Tackaberry, Inc. - Not to exceed \$241,571 - Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1148

Item 46: Authorize a thirty-six-month price agreement for self-contained breathing apparatus parts with the lowest responsible bidder of two - Fisher Safety, a division of Fisher Scientific Company L.L.C. - Not to exceed \$641,520 - Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1149

Item 47: Authorize a thirty-six-month price agreement for rifles and accessories with the lowest responsible bidders of six - Rock River Arms, Inc. in the amount of \$235,050 and GT Distributors, Inc. in the amount of \$177,900 - Total not to exceed \$412,950 - Financing: 2003 Omnibus Appropriation Local Law Enforcement Block Grant Funds (\$92,225); Current Funds (\$320,725)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1150

Item 48: Authorize a twenty-four-month price agreement for spray thermoplastics, glass traffic beads and concrete sealer with the lowest responsible bidders of eight - Ennis Paint Inc. in the amount of \$434,550, Swarco Reflex, Inc. in the amount of \$55,762, and Apollo Coatings Technologies, Inc. in the amount of \$449 - Total not to exceed \$490,761 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1151

Item 49: Authorize the purchase of a truck chassis from Houston Freightliner, Inc., through the Houston Galveston Area Council, a Texas local government cooperative purchasing program - Not to exceed \$61,166 - Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1152

Item 50: Authorize the purchase of an auger drill unit and drill bits from the lowest responsible bidder of two - CIA Machinery, Inc. - Not to exceed \$184,532 - Financing: Current Funds

Approved as part of the consent agenda

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1153

Item 51: Authorize a thirty-six-month price agreement for clamps, couplings and sleeves for the installation and repair of water mains with the only bidder - National Waterworks, Inc. - Not to exceed \$508,358 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1154

Item 52: Authorize a thirty-six-month service contract for alarm monitoring and maintenance with the lowest responsible bidders of eight - C & N Fire Systems, Inc. in the amount of \$608,840 and Alarm Security Group, L.L.C. in the amount of \$276,500 - Total not to exceed \$885,340 - Financing: Current Funds (\$829,795); Water Utilities Current Funds (\$55,545)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1155

Item 53: Authorize a thirty-six-month price agreement for liquid chlorine with the lowest responsible bidder of three - DPC Industries Company - Not to exceed \$8,139,600 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1156

Item 54: Authorize a thirty-six-month price agreement for factory authorized parts and service for maintenance and repair of Aries and Pearpoint sewer inspection television camera systems with Underground, Inc. - Sole Source - Not to exceed \$331,258 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1157

Item 55: Authorize a thirty-six-month service contract for grounds maintenance at 68 Dallas Water Utilities properties with the lowest responsible bidders of four - Forest Hills Lawn Service in the amount of \$802,180, Good Earth, Inc. in the amount of \$203,670, Capo, Inc. in the amount of \$181,235 and Toledo Landscaping, LLC in the amount of \$75,070 - Total not to exceed \$1,262,155 - Water Utilities Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1157

Item 55: Authorize a thirty-six-month service contract for grounds maintenance at 68 Dallas Water Utilities properties with the lowest responsible bidders of four - Forest Hills Lawn Service in the amount of \$802,180, Good Earth, Inc. in the amount of \$203,670, Capo, Inc. in the amount of \$181,235 and Toledo Landscaping, LLC in the amount of \$75,070 - Total not to exceed \$1,262,155 - Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1157

Item 55: Authorize a thirty-six-month service contract for grounds maintenance at 68 Dallas Water Utilities properties with the lowest responsible bidders of four - Forest Hills Lawn Service in the amount of \$802,180, Good Earth, Inc. in the amount of \$203,670, Capo, Inc. in the amount of \$181,235 and Toledo Landscaping, LLC in the amount of \$75,070 - Total not to exceed \$1,262,155 - Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1158

Item 56: Authorize payment for repairs to the damaged pumper body on a 2002 fire apparatus chassis - Metro Fire Apparatus Specialists, Inc. - Not to exceed \$96,990 - Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1159

Item 57: Authorize settlement of the claim filed by Theater Davis, Claim No. 20042661 - \$12,500 - Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1160

Item 58: Authorize a professional services contract with Phoenix I Restoration and Construction, Ltd., for consultant and possible expert witness services and related litigation support necessary in the lawsuit, styled Don Blanton, Deep Ellum I, Ltd., Deep Ellum II, Ltd., Deep Ellum III, Ltd., 2615-17 Commerce Street Partnership, Jernigan Realty Partners, LP, Robert Merrell and Karen L. Merrill, International Lion's Lairs, L.L.C., Wayne Bazzle, Cheryl Bazzle, Crystaline E. Wheeler, Linda L. Kluck, Sandra S. Coone, Sam W. Owen, J.R. Gilpin, Crugar S. Ragland, Trustee of the Ragland Property Trust, Henry J. Evans, Park-A-Lot, LP, Peter Fonberg, Trustee of the Jeannette Schwartz Trust, Peter Fonberg, Trustee of the Hymie Schwartz Trust and Caron Barrett v. The City of Dallas, Cause No. 04-02922-K, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$55,000 - Financing: Current Funds

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

Later in the meeting, agenda item 58 was brought up for consideration.

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.

Mayor Pro Tem Loza moved to approve the item.

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

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1161

Item 59: Authorize Interlocal Agreements with the Texas Department of Transportation for the temporary closure of two state thoroughfares at southbound Pearl Street exit and Woodall Rodgers Freeway on Saturday, June 11, 2005 from 5:00 a.m. through Sunday, June 12, 2005 at 12:00 a.m. for the CityArts Festival, and southbound Park Lane exit ramp of North Central Expressway (between Walnut Hill Lane) on Saturday, October 15, 2005 from 8:00 a.m. to 9:30 a.m. for the Komen Race for the Cure - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1162

Item 60: Authorize a Programmatic Agreement with the Texas Historical Commission and the Advisory Council on Historic Preservation that stipulates the procedures to be followed by the City of Dallas to satisfy its Section 106 responsibilities - Financing: No cost consideration to the City

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1163

Item 61: An ordinance authorizing a correction to Ordinance No. 25916 for a Planned Development District for zoning regulations similar to those contained in Planned Development District No. 145, the Arts District, to include attachments inadvertently left off the ordinance on property bounded by Ross Avenue, Routh Street, Woodall Rodgers Freeway and Central Expressway - Z034-305(LS) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25931

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1164

Item 62: **Cityplace Area TIF District** **Note:** Item Nos. 62 and 63 must be considered collectively.

- * Authorize **(1)** a development agreement with Gables Realty Limited for the funding of design, professional services and construction of public improvements for the Gables At West Village II, a mixed-use high-density project located at 3107 Blackburn Street between McKinney Avenue and Cole Avenue in Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District); and **(2)** the establishment of appropriations in an amount not to exceed \$434,571 in the Cityplace Area TIF District Fund - Total not to exceed \$434,571 - Financing: To be advanced by a private developer and reimbursed with interest from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds

Councilmember Rasansky requested that consent agenda item 62 be considered as an individual item. Mayor Miller stated that consent agenda item 62 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 62 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 Oakley and unanimously adopted. (Rasansky abstain; Hill, Griffith, Finkelman absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1165

Item 63: **Cityplace Area TIF District**

Note: Item Nos. 62 and 63 must be considered collectively.

- * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to reimburse Gables Realty Limited for funds advanced pursuant to the development agreement with Gables Realty Limited in an amount not to exceed \$434,571, plus interest, for certain public improvements related to the development of the Gables at West Village II, a mixed-use high-density project located at 3107 Blackburn Street between McKinney Avenue and Cole Avenue in Cityplace Area TIF District - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 63 be considered as an individual item. Mayor Miller stated that consent agenda item 63 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 63 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 Oakley and unanimously adopted. (Rasansky abstain; Hill, Griffith, Finkelman absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1166

Item 64: Authorize an Interlocal Agreement with the Dallas County Health and Human Services Department to provide mosquito testing for West Nile Virus for the period May 1, 2005 through October 31, 2005 - Not to exceed \$7,700 - Financing: Current Funds (subject to appropriations)

Councilmember Rasansky requested that consent agenda item 64 be considered as an individual item. Mayor Miller stated that consent agenda item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 64 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1167

Item 65: Authorize **(1)** the acceptance of an ExxonMobil Foundation Grant in the amount of \$252,000 to provide funding for employment, training and basic education services to Dallas youth; **(2)** the implementation of the Summer Youth Program from April 13, 2005 to August 19, 2005 for low to moderate income youth ages 16 and above, and certain costs for the students and supervisor wages, supplies, training, and materials in the amount of \$225,000; and **(3)** an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component in the amount of \$27,000 - Total not to exceed \$252,000 - Financing: 2005 ExxonMobil Foundation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1168

Item 66: Authorize amendments to Resolution No. 02-0329 previously approved on January 23, 2002, Resolution No. 03-3343 previously approved on December 8, 2003, Resolution No. 04-1710 previously approved on May 26, 2004, and Resolution No. 04-2791 previously approved on September 22, 2004 to increase the maximum Replacement Housing Program loan amount from \$32,500 to \$47,500 for properties located at 741 Bank Street, 2329 Dyson Street, 1902 Kraft Street, and 1951 Morris Street - Not to exceed \$60,000 - Financing: 2004-05 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1169

Item 67: Authorize **(1)** provision of compliance monitoring services for multifamily developments financed with tax-exempt mortgage revenue bonds issued by the City of Dallas Housing Finance Corporation; and, **(2)** a fee for the service to be paid by the property owner - Estimated Revenue: \$1,500

Councilmember Rasansky requested that consent agenda item 67 be considered as an individual item. Mayor Miller stated that consent agenda item 67 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 67 was brought up for consideration.

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Chaney.

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; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1170

Item 68: A resolution providing public notification that an employee of the City of Dallas is seeking financial assistance in the form of a Basic Home Repair Program loan to repair her home in accordance with conflicts of interest provisions of the Federal Regulations contained in 24 CFR 92.356 - Financing: No cost consideration to the City

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

Councilmember Rasansky moved to deferred the item until the April 27, 2005 voting agenda meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1171

Item 69: Authorize the reconstruction on-site of two homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1911 Shaw Street and 3323 Beall Street - Not to exceed \$140,000 - Financing: 2004-05 HOME Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1172

Item 70: Authorize a Residential Development Acquisition Loan Program loan to Pegasus Urban Development Group, LLC, for the acquisition of up to six lots in the 3800 block of Colonial Avenue (list attached) - Not to exceed \$100,000 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1173

Item 71: Authorize (1) the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice in the amount of \$2,393,527 for support of a broad range of activities to help control and prevent crime, and to improve the criminal justice system; **(2)** the designation of the City of Dallas to act as the fiscal agent for disbursement of the grant funds and acceptance of a grant administration fee in the amount of \$167,547; **(3)** the disbursement of grant funds to Dallas County and other eligible designated cities in the amount of \$936,639; **(4)** acceptance of the City portion of the grant in the amount of \$1,289,341; and **(5)** execution of the grant agreement - Total not to exceed \$2,393,527 - Financing: U. S. Department of Justice Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1173

Item 71: Authorize (1) the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice in the amount of \$2,393,527 for support of a broad range of activities to help control and prevent crime, and to improve the criminal justice system; **(2)** the designation of the City of Dallas to act as the fiscal agent for disbursement of the grant funds and acceptance of a grant administration fee in the amount of \$167,547; **(3)** the disbursement of grant funds to Dallas County and other eligible designated cities in the amount of \$936,639; **(4)** acceptance of the City portion of the grant in the amount of \$1,289,341; and **(5)** execution of the grant agreement - Total not to exceed \$2,393,527 - Financing: U. S. Department of Justice Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1174

Item 72: Authorize **(1)** continued exclusive negotiations with the Woodbine Development Corporation for the development of a Convention Center Headquarters Hotel; and, **(2)** a professional services contract with Perkins Coie, LLP to provide legal services for negotiating a pre-development and definitive agreements with the Woodbine Development Corporation - \$100,000 - Financing: Convention and Event Services Current Funds

Councilmember Rasansky requested that consent agenda item 72 be considered as an individual item. Mayor Miller stated that consent agenda item 72 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 72 was brought up for consideration.

Councilmember Greyson moved to defer the item until the April 27, 2005 voting agenda meeting.

Motion seconded by Councilmember Chaney and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1175

Item 73: Authorize **(1)** acceptance of a reimbursable matching grant from Collin County in the amount of \$98,000; **(2)** City matching funds in the amount of \$98,000; and **(3)** an Interlocal Agreement for construction of a picnic pavilion at Bentwood Park located at 6011 Bentwood Trail - Financing: 2003 Bond Funds (\$98,000) and Collin County Grant Funds (\$98,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1176

Item 74: Authorize a three-year food and drink concession contract with Maudie Johnson for Kiest Park and Kiest Softball Complex located at 3080 S. Hampton Road for the period beginning April 1, 2005 through March 31, 2008 - Estimated Annual Revenue: \$7,000

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1177

Item 75: Authorize a three-year food and drink concession contract with Maudie Johnson for Kiest Park and Kiest Softball Complex located at 3080 S. Hampton Road for the period beginning April 1, 2005 through March 31, 2008 - Estimated Annual Revenue: \$7,000

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1178

Item 76: Authorize application for fourth-year continuation of the Sexual Assault/Stalking Training grant from the Office of the Governor, Criminal Justice Division in the amount of \$45,000 for specialized training for detectives who have the responsibility to investigate sexual assault and stalking offenses in the various aspects of this type of criminal investigation for the period September 1, 2005 through August 30, 2006 (local match in an amount not to exceed \$15,000 will be required if awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1179

Item 77: Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for and acceptance of the 2005-06 Juvenile Accountability Block Grant to provide further development and enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding - \$108,676 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$97,808) and Current Funds (\$10,868)

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1180

Item 78: Authorize **(1)** an endorsement of the Feasibility Study and Strategic Plan; **(2)** support the Groundwork steering committee's recommendation to move forward with forming a non-profit organization called Groundwork Dallas to assist communities impacted by brownfields and other derelict land issues to improve their quality of life and encourage economic regeneration through the development and stewardship of park land, recreation areas, nature reserves, trail systems and other environmental improvements; and, **(3)** the second and third year funding for the local match to cover the operational expenses of Groundwork Dallas - \$50,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1181

Item 79: Authorize a professional services contract with R. W. Beck, Inc., for evaluation of the efficiency and operation of the Northeast, Northwest and Southwest solid waste management transfer stations - Not to exceed \$65,000 - Financing: Current Funds

Approved as part of the consent agenda

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1182

Item 80: Authorize a one-year contract with Winchester Productions Company in Denton County to provide untreated water from Lake Grapevine - Estimated Revenue: \$21,800

Approved as part of the consent agenda

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1183

Item 81: Authorize a commission-based compensation agreement for the General Manager of WRR Municipal Radio, Gregory T. Davis, to be effective beginning October 1, 2004
- Financing: No cost consideration to the City

Councilmember Rasansky and the interim city attorney requested that consent agenda item 81 be considered as an individual item. Mayor Miller stated that consent agenda item 81 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's and the interim city attorney's request.

Later in the meeting, agenda item 81 was brought up for consideration.

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 551.071 of the Texas Government Code (Open Meetings Act) to confer with the interim city attorney.

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

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

The 5th sentence of Section 1 should be changed to:

If any estimated payment is made, it shall be 50% less than the average of the three prior annual commissions.

Motion seconded by Councilmember Finkelman.

After discussion Mayor Miller called the vote on the motion.

Mayor Miller declared the motion adopted on a divided voice vote with Mayor Miller, Mayor Pro Tem Loza and Councilmember Rasansky voting "No". (Garcia, Greyson absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1184

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 82-92, were presented for consideration.

- Agenda item 82: Zoning Case Z034-330(RB)
- Agenda item 83: Zoning Case Z045-116(RB)
- Agenda item 84: Zoning Case Z045-119(RB)
- Agenda item 85: Zoning Case Z045-129(WE)
- Agenda item 86: Zoning Case Z045-130(WE)
- Agenda item 87: Zoning Case Z045-142(DW)
- Agenda item 88: Zoning Case Z045-153(RB)
- Agenda item 89: Zoning Case Z045-154(MM)
- Agenda item 90: Zoning Case Z045-155(MM)
- Agenda item 91: Zoning Case Z045-157(MM)
- Agenda item 92: Zoning Case Z045-167(DW)

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.

The following individual addressed the city council regarding the consent zoning docket:

William Hopkins, 2011 Leath St.

Councilmember Oakley 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 present as part of the consent zoning docket.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1185

Item 82: Zoning Case Z034-330 (RB)

Zoning Case Z034-330(RB), an application for and a resolution accepting the termination of existing deed restrictions on property zoned an MF-1(A) Multifamily District and an R-7.5(A) Single Family District with the H/72 Historical Overlay No. 72 on the west corner of Swiss Avenue and Moreland Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1186

Item 83: Zoning Case Z045-116 (RB)

Zoning Case Z045-116 (RB), an application for and an ordinance granting an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District along the northwest line of Mockingbird Lane beginning at the west corner of Mockingbird Lane and Denton Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25932.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1187

Item 84: Zoning Case Z045-119 (RB)

Zoning Case Z045-119 (RB), an application for and an ordinance granting an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District on the north corner of Mockingbird Land and Maple Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25933.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1188

Item 85: Zoning Case Z045-129 (WE)

Zoning Case Z045-129 (WE), an application for and an ordinance granting an amendment to the conditions and development plan in Tract II of Planned Development District No. 559 for single family uses and private streets on the south side of Westgrove Road at the terminus of Ash Bluff Lane.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25934.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1189

Item 86: Zoning Case Z045-130 (WE)

Zoning Case Z045-130 (WE), an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 560 for single family uses and private streets, north of Braewood Place, east of Abbey Woods Lane.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25935.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1190

Item 87: Zoning Case Z045-142 (DW)

Zoning Case Z045-142 (DW), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property zoned an R-5(A) Single Family District located on the south side of Bickers Street, west of Darien Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25936.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1191

Item 88: Zoning Case Z045-153 (RB)

Zoning Case Z045-153 (RB), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property zoned an R-7.5(A) Single Family District on the southeast corner of Gaston Avenue and Loving Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25937.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1192

Item 89: Zoning Case Z045-154 (MM)

Zoning Case Z045-154 (MM), an application for and an ordinance granting an amendment to Planned Development District No. 569 for a church, Child-care facility, community service center, museum, and a private school on the south side of Northaven Road, and west of North Central Expressway.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25938.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1193

Item 90: Zoning Case Z045-155 (MM)

Zoning Case Z045-155 (MM), an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 39 for residential uses; bar and restaurant uses; personal professional, and custom craft uses; retail and commercial uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, with a portion of the property within a D Dry Liquor Control Overlay District on the west corner of Maple Avenue and Wolf Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25939.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1194

Item 91: Zoning Case Z045-157 (MM)

Zoning Case Z045-157 (MM), a city plan commission authorized hearing to amend Planned Development Subdistrict No. 50 for HC Heavy Commercial District uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south side of Harwood Street between Cedar Springs Road and McKinney Avenue and an ordinance granting an amendment to Planned Development Subdistrict no. 50.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25940.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1195

Item 92: Zoning Case Z045-167 (DW)

Zoning Case Z045-167 (DW), an application for and an ordinance granting the expansion of Planned Development District No. 598 for a mix of uses on property zoned an LO-3 Limited Office District and a resolution removing the expired deed restrictions located on property zoned an LO-3 Limited Office District and Tract III within Planned Development District No. 598 east of Polk Street and south of Wheatland Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25941.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1196

Item 93: Public Hearing-Zoning Case Z045-131 (DW)

A public hearing was called on zoning case Z045-131 (DW), an application for and an ordinance granting renewal of Specific Use Permit No. 1525 for an alcoholic beverage establishment use to be used as a bar, lounge, tavern and a commercial amusement (inside) use to be used as a Class A dance hall on property zoned a Cr-MD-1 Community Retail District with Modified Delta Overlay, located at the northeast corner of Greenville Avenue and Lewis Street.

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

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

Maxine Aaronson, 3131 McKinney Ave., representing Lower Greenville Neighborhood Association

Gay Hopkins, 6030 Monticello Ave., representing Lower Greenville Neighborhood Association

John Scarborough, 1931 Euclid Ave.

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

Roger Albright, 3301 Elm St., representing the applicant
Bobby Ornelas, 6802 Avalon Ave.

Councilmember Lill moved to close the public hearing and follow the city plan commission recommendation for approval with the following changes:

Condition No. 3 is changed to read as follows: "3. TIME LIMIT: this specific use permit shall automatically terminate on April 13, 2008"; and Condition No. 5 is changed to read as follows: "5. KITCHEN: this use must have food service facilities for the preparation and service of food"; and pass the ordinance.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1197

Item 94: Public Hearing-Zoning Case Z045-135 (RB)

Zoning Case Z045-135 (RB), an application for and an ordinance granting an MF-3(A) Multifamily District on property zoned a CR Community Retail District, on the southwest corner of Turtle Creek Boulevard and Bandera Avenue and a resolution accepting deed restrictions volunteered by the applicant.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1198

Item 95: Public Hearing-Zoning Case Z045-143 (DW)

Zoning Case Z045-143 (DW), a City Plan Commission authorized hearing to determine proper zoning on property zoned an MF-2(A) Multifamily District, located northwest of Live Oak Street between Munger Avenue and Ross Avenue with consideration given to an R-7.5(A) Single Family District and an ordinance granting an R-7.5(A), Single Family District on a portion of the area.

(The city plan commission recommended no change to existing zoning for properties generally in the northwest portion of the area, and approval of an R-7.5(A) Single Family District for the remainder of the area.

Deleted on the addendum to the agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1199

Item 96: Public Hearing-Zoning Case Z045-148 (DW)

A public hearing was called on zoning case Z045-148 (DW), an application for and an ordinance granting a Specific Use Permit for a College or University use on property zoned an NO(A) Neighborhood Office District, located on the south side of Harvest Hill Road, east of the Dallas North Tollway.

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

Councilmember Rasansky moved to close the public hearing, overrule the city plan commission's recommendation and deny the application without prejudice.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1200

Item 97: Public Hearing-Zoning Case Z045-149 (RB)

A public hearing was called on zoning case Z045-149 (RB), an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned an RS-C Regional Service-Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Sanger Avenue and Riggs Street.

(The city plan commission recommended approval.)

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

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

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

Assigned ORDINANCE NO. 25943.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1201

Item 98: Public Hearing-Zoning Case Z045-150 (RB)

A public hearing was called on zoning case Z045-150 (RB), an application for and an ordinance granting an amendment to the development plan, landscape plan, and conditions for Planned Development Subdistrict No. 37-D for O-2 Office Subdistrict Uses with a D Dry Liquor Control Overlay within Planned Development District No. 193, the Oak Lawn Special Purpose District, on Hall Street between Hood Street and Sale Street with removal of the Dry Liquor Control Overlay.

(The city plan commission recommended approval of an amendment to a development plan, landscape plan, and conditions, and approval of the removal of the Dry Liquor Control Overlay.)

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

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

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy absent)

Assigned ORDINANCE NO. 25944.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1202

Item 99: Public Hearing-Zoning Case Z045-165 (WE) – **DALLAS INDEPENDENT SCHOOL DISTRICT**

A public hearing was called on zoning case Z045-165 (WE), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-7,5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District, bounded by Berridge Lane, St. Francis Avenue, Trace Road and Charoit Drive.

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

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,

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

The following individual addressed the city council regarding zoning case Z045-165 (WE):

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 25945.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1203

Item 100: Public Hearing - Zoning Case Z034-327 (DW) – **UNDER ADVISEMENT - INDIVIDUAL**

A public hearing was called on zoning case Z034-327 (DW), an application for and an ordinance granting an MU-2 Mixed use District with retention of the D-1 Liquor Control Overlay on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and an MC-1-D-1 Multiple Commercial District with a D-1 Liquor Control Overlay and a resolution terminating new deed restrictions volunteered by the applicant and a resolution terminating existing deed restrictions, north of Bruton Road, west of St. Augustine Road.

(The city plan commission recommended approval of an MU-2 Mixed Use District with retention of the D-1 Liquor Control Overlay with a resolution accepting new deed restrictions volunteered by the applicant and approval of a resolution terminating the existing deed restrictions.)

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

Deputy Mayor Pro Tem Hill moved to close the public hearing, overrule the city plan commission and readvertise for a new hearing on zoning case Z034-327 (DW) to be heard at the May 11, 2005 city council voting agenda meeting.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Fantroy absent).

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1204

Item 101: Public Hearing - STREET NAME CHANGE – NC045-001

Theresa O'Donnell, director of development services, reminded the city council that in accordance with Section 51A-9.304 Paragraph (3) of Subsection (a) which states that a roadway that extends into the city of Dallas from a contiguous municipality must adopt the street name given the street by the contiguous municipality and paragraph (1) of Subsection (c) which states that an historic street name may not be changed.

A public hearing was called on street name change NC045-001, an application for and an ordinance changing the name of Kingsley Road, between Abrams Road and IH-635 to Walnut Hill Lane.

(The city plan commission recommended approval.)

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

Larry Rogers, 9655 Leaside Dr.
Joseph Glogowsky, 9730 Shepherd Rd.

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

Glee Huebner, 9041 Drumcliffe Ln.
Tonna Reese, 9707 Kingsley Rd., representing, Highland House Condos,

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

To waive Section 51A-9.304 Paragraph (3) of Subsection (a) which states that a roadway that extends into the city of Dallas from a contiguous municipality must adopt the street name given the street by the contiguous municipality and Paragraph (1) of Subsection (c) which states that an historic street name may not be changed, and approved changing the name of Kingsley Road between Lyndon B. Johnson Freeway and Abrams Road to Walnut Hill Lane and pass the ordinance.

Motion seconded by Councilmember Griffith.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

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

Voting Yes:	[13]	Miller, Loza, Hill, Garcia, Oakley, Salazar, Chaney, Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill
Voting No:	[0]	
Absent when vote taken:	[1]	Thornton Reese
Absent:	[1]	Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25946

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1205

Item 102: Public Hearing- STREET NAME CHANGE – NC045-003

A public hearing was called on street name change NC045-003, an application for and an ordinance changing the name of Wichita Street, between Cedar Springs Road and Victory Avenue to Olive Street.

(The city plan commission recommended approval.)

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

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

Susan Mead, 2512 Maple Ave., representing the applicant.
Jerry Jackson, 7231 Cutter Mill Dr.

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

Motion seconded by Councilmember Lill and unanimously adopted. (Thornton Reese, Griffith absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 25947.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1206

Item 103: Public Hearing- BENEFIT ASSESSMENT HEARINGS

A benefit assessment hearing to receive citizens' comments for alley paving improvements on the alley west of and parallel to Holcomb Road from Huttig Avenue to Belfast Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments.

No one appeared in opposition to or in favor of the proposed alley paving improvements.

Deputy Mayor Tem Hill moved to close the public hearing, pass the ordinance levying the benefit assessments.

Motion seconded by Councilmember Oakley and unanimously adopted. (Thornton Reese, Griffith absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 25948.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1207

Item 104: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments on the proposed reclassification of 2.52 acres of existing park land at Timberglen Park for library use, and at the close of the hearing, consideration of approval of the proposed reclassification – Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Greyson moved to close the public hearing and approve the proposed reclassification.

Motion seconded by Councilmember Oakley and unanimously adopted. (Thornton Reese, Griffith absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1208

05-1239

Item 105: 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 April 13, 2005.

The city secretary noted that the report indicated no nominees and re-nominees for individual appointments were cleared for council action.

Councilmember Griffith moved to appoint Donna Wigley, chair, to the Urban Rehabilitation Standards Board.

Motion seconded by Councilmember Oakley and unanimously adopted. (Fantroy absent)

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

05-1239 Board Officer

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1209

Item 106: A resolution relating to the placement of proposed Charter amendments on a November 8, 2005 ballot in the event that no Charter amendments are approved by the voters at the May 7, 2005 Charter amendment election (Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill, Councilmembers Dr. Garcia, Oakley, Dr. Thornton-Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Finkelman, Greyson, Rasansky, and Lill via Mayor Miller)

The following individuals addressed the city council regarding the resolution:

Al Lipscomb, 830 Clearwood Dr.
David Marquis, 3110 W. Kiest

Councilmember Oakley moved to approve the resolution.

Motion seconded by Councilmember Garcia.

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

Voting Yes:	[11]	Loza, Hill, Garcia, Oakley, Salazar, Blaydes, Griffith, Finkelman, Greyson, Rasansky, Lill
Voting No:	[3]	Miller, Thornton Reese, Chaney
Absent:	[1]	Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1210

Item 107: A resolution **(1)** modifying the previously endorsed recommended plan of action related to the Texas Department of Transportation's (TxDOT) Trinity Parkway Corridor Major Transportation Investment Study, **(2)** reaffirming support for the proposed Trinity Parkway project as presently proposed to be designed, constructed and operated as a toll supported facility by the North Texas Tollway Authority (NTTA), **(3)** recommending "Alternative Alignment 3B", also referred to as the Combined Parkway - Modified, in the Draft Environmental Impact Statement as the locally preferred alignment for the Trinity Parkway, and expressing support for certain actions, elements and/or features related to the southern segment of the Trinity Parkway, **(4)** expressing support for additional specific actions, elements and/or features related to the entire Trinity Parkway, and, **(5)** urging the NTTA, TxDOT, Dallas County, and the other affected municipalities, and all local, state or federal agencies participating in the approval process to make every effort to expedite the issuance of the necessary environmental permits and approvals for the Trinity Parkway due to the critical importance of this facility in meeting regional mobility needs - Financing: This action has no cost consideration to the City

The following individuals addressed the city council regarding the resolution:

Robert Reeves, 3807 Vine Crest Dr.
Al Petrsek, 6308 Courtland Dr., Plano, TX

Councilmember Oakley moved to approve the resolution.

Motion seconded by Councilmember Garcia.

Councilmember Finkelman asked Councilmember Oakley if he would accept a friendly amendment to his motion to amend Section 4. (c) to read:

- c. That the center median of the Trinity parkway be landscaped pursuant to adaptations to the NTTA Urban Design guidelines, to be compatible with the Trinity Project's context sensitive urban design plan as outlined in the Balanced Vision Plan

Councilmember Oakley accepted the amendment as a part of his motion.

Councilmember Garcia who seconded the original motion, also accepted the amendment.

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". (Thornton Reese, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1211

Item 108: A resolution amending Section 9 of the City Council Rules of Procedure to revise and establish certain standing committees of the City Council to take effect on August 1, 2005 - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the resolution with the following amendment establishing the standing committees:

Economic development and housing; Finance, audit and accountability committee; Quality of life committee; Trinity River committee (which will expire August 1, 2009); Public safety committee; and Transportation and environment committee.

Motion seconded by Councilmember Griffith.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Lill voting "No". (Garcia, Salazar absent when vote taken; Fantroy absent)

[NOTE: The Trinity River committee will meet for two-hours each month and all other committees will meet for two-hours twice a month.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1212

Item 109: Authorize hardship relief for property located at 10002 Harry Hines Boulevard 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 Oakley moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1213

Item 110: Authorize hardship relief for property located at 3701 West Northwest Highway, Suite No. 304 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 Oakley moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1214

Item 111: Authorize a business personal property tax abatement with Pratt Industries, Inc. at 3700 Eagle Place Drive located in the State of Texas Enterprise Zone for the purpose of granting a five-year abatement of 75 percent of the taxes on the new business personal property - Revenue: First-year tax revenue estimated at \$5,741; five-year revenue estimated at \$28,707; (Estimated revenue foregone for five-year abatement is \$86,121)

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Griffith and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1215

Item 112: Authorize a tax abatement with BCS Dallas, L.L.C. and Reel FX, Inc. at 301 North Crowdus for the purpose of granting a seven-year abatement of 90 percent of the taxes on the real property improvement - Revenue: First year revenue estimated at \$1,295; seven-year revenue estimated at \$9,068; (Estimated revenue foregone for seven-year abatement estimated is \$81,614)

Councilmember Lill moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1216

2005 GENERAL OBLIGATION REFUNDING BONDS

Item 113: * An ordinance authorizing (1) the issuance and sale of General Obligation Refunding Bonds, Series 2005 in amount not to exceed \$170,000,000; (2) a bond purchase agreement and an escrow agreement; and, (3) all other matters related thereto - Total not to exceed \$430,862 - Financing: Debt Service Funds

or, in the alternative;

Item 114: * An ordinance authorizing (1) the issuance and sale of General Obligation Refunding Bonds, Series 2005 in amount not to exceed \$170,000,000; (2) the establishment of parameters regarding the sale of the Bonds; (3) a bond purchase agreement and an escrow agreement; and, (4) all other matters related thereto - Total not to exceed \$430,862 - Financing: Debt Service Funds

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

Councilmember Garcia moved to approve the ordinance authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2005 in amount not to exceed \$170,000,000; (2) a bond purchase agreement and an escrow agreement; and, (3) all other matters related thereto.

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

Assigned ORDINANCE NO. 25949.

[NO ACTION TAKEN ON AGENDA ITEM 114]

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1217

Item 115: An ordinance authorizing (1) the issuance and sale of Risk Management Certificates of Obligation, Taxable Series 2005 in amount not to exceed \$7,440,000; (2) a certificate purchase agreement; and, (3) all other matters related thereto - Total not to exceed \$51,888 - Financing: Proceeds from the sale of the Certificates

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

Councilmember Finkelman moved to approve the item.

Motioned seconded by Councilmember Garcia and unanimously adopted. (Miller, Griffith, Rasansky abstain; Hill absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 25950.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1218

Item 116: Authorize (1) the acceptance and deposit of funds from the Dallas Independent School District for reimbursement of material and labor for adjustments of traffic signal hardware at Meadow Road and Rambler Road; and (2) an increase in appropriations in the amount of \$18,391 in the Capital Project Reimbursements Fund - \$18,391 - 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 Oakley moved to approve the item.

Motioned seconded by Councilmember Griffith and unanimously adopted. (Blaydes abstain; Garcia, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1219

Item 117: An ordinance amending Ordinance No. 25907 ordering the May 7, 2005 general election, and Ordinance No. 25908 ordering the May 7, 2005 special election, in order to change some election-day and early voting locations - Financing: No cost consideration to the City

Mayor Pro Tem Loza moved to approve the ordinance.

Motioned seconded by Councilmember Oakley and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 25951.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1220

Item 118: Authorize adoption of the 2005 Drought Contingency Plan and 2005 Water Conservation Plan for the City of Dallas - Financing: This action has no cost consideration to the City

The following individuals addressed the city council regarding the item:

Beth Johnson, 3363 Darbyshire

Councilmember Finkelman move to approve the item.

Motioned seconded by Councilmember Oakley.

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

Voting Yes:	[12]	Miller, Loza, Hill, Oakley, Thornton Reese, Chaney, Blaydes, Griffith, Finkelman, Greyson, Rasansky, Lill
Voting No:	[0]	
Absent when vote taken:	[2]	Garcia, Salazar
Absent:	[1]	Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1221

Item 119: Authorize adoption of the Water Conservation Five-Year Strategic Plan for the City of Dallas - Financing: This action has no cost consideration to the City

The following individual addressed the city council regarding the item:

Linda Sharp, 12126 Vendome Place

Councilmember Finkelman moved to approve the item with the following amendment:

Add a new Section 2. That the City Manager be directed to report on the progress and effectiveness of the Water Conservation Five-year Strategic Plan on an annual basis and make recommendations to amend the Plan as appropriate.

Motioned seconded by Councilmember Lill and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1222

Item 120: Authorize the Dallas Water Utilities in cooperation with the North Texas Municipal Water District, the City of Irving, the Tarrant Regional Water District and the Upper Trinity Regional Water District to participate in Phase 1 of the Sulphur River Basin-wide Study that will include studying the availability of water from Wright Patman Lake through flood pool reallocation - Not to exceed \$670,050 - Financing: Water Utilities Capital Construction Funds

The following individuals addressed the city council regarding the item:

Beth Johnson, 3363 Darbyshire
Molly Rooke, 6139 Stichter Ave.
Rita Beving, 14605 Dartmouth, Addison, TX

Deputy Mayor Pro Tem Hill moved to approve the item.

Motioned seconded by Councilmember Oakley.

Councilmember Greyson asked Deputy Mayor Pro Tem Hill if he would accept a friendly amendment to his motion to strongly recommend that Freese and Nichols not be the consultant on the Sulphur River Basin study.

Deputy Mayor Pro Tem Hill accepted the amendment as part of his motion.
Councilmember Oakley, who seconded the original motion , also accepted the amendment.

After discussion Mayor Miller called the vote on Deputy Mayor Pro Tem Hill's motion as modified by the friendly amendment.

Voting Yes:	[9]	Hill, Oakley, Thornton Reese, Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill
Voting No:	[3]	Miller, Loza, Chaney
Absent when vote taken:	[2]	Garcia, Salazar
Absent:	[1]	Fantroy

Mayor Miller declared the motion adopted.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1223

Item 121: Authorize a contract with the Upper Neches River Municipal Water Authority (UNRMWA) to perform a study to determine the feasibility of a new water reservoir known as Lake Fastrill, while also working with the UNRMWA and the U. S. Fish and Wildlife Service to determine whether the Fastrill project can meet the multiple objectives of water supply and wildlife preservation - \$228,000 - Financing: Water Utilities Capital Construction Funds

The following individuals addressed the city council regarding the item:

Beth Johnson, 3363 Darbyshire
Molly Rooke, 6139 Stichter Ave.
Rita Beving, 14605 Dartmouth, Addison, TX

Councilmember Oakley moved to approve the item.

Motioned seconded by Deputy Mayor Pro Tem Hill.

After discussion Mayor Miller called the vote on the motion

Voting Yes:	[8]	Hill, Oakley, Thornton Reese, Griffith, Blaydes, Finkelman, Rasansky, Lill
Voting No:	[4]	Miller, Loza, Chaney, Greyson
Absent when vote taken:	[2]	Garcia, Salazar
Absent:	[1]	Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1224

Item 122: A resolution accepting the FY 2003-04 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Councilmember Lill moved to approve the resolution.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1225

Item 123: Authorize a resolution in support of Texas Department of Housing and Community Affairs award of Low Income Housing Tax Credits for the rehabilitation of 155 units for seniors and the new construction of 96 units for families for a total of 251 units called the Providence at UT Southwestern multifamily development to be located at 1893 West Mockingbird Lane - Financing: No cost consideration to the City

The following individual addressed the city council regarding the resolution:

Wilma Avalos, 2318 Anson Rd.
Se-Gwen Tyler, 1816 Prairie View Dr.

Mayor Pro Tem Loza moved to approve the resolution.

Motion seconded by Councilmember Griffith and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1226

Item 124: An ordinance granting a CR Community Retail District on property zoned an MF-1(A) Multifamily District, on the north line of Dixon Avenue at Wullschleger Lane and a resolution accepting deed restrictions volunteered by the applicant - Z045-125(WE) - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the ordinance.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

Assigned ORDINANCE NO. 25952.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1227

Closed Session

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

- Don Blanton, Deep Ellum I, Ltd., Deep Ellum II, Ltd., Deep Ellum III, Ltd., 2615-17 Commerce Street Partnership, Jernigan Realty Partners, LP, Robert Merrill and Karen L. Merrill, International Lion's Lairs, L.L.C., Wayne Bazzle, Cheryl Bazzle, Crystaline E. Wheeler, Linda L. Kluck, Sandra S. Coone, Sam W. Owen, J.R. Gilpin, Crugar S. Ragland, Trustee of the Ragland Property Trust, Henry J. Evans, Park-A-Lot, LP, Peter Fonberg, Trustee of the Jeannette Schwartz Trust, Peter Fonberg, Trustee of the Hymie Schwartz Trust and Caron Barrett v. the City of Dallas, Cause No. 04-02922-K
- Legal issues regarding a tax increment financing reinvestment zone for the Deep Ellum area
- Legal issues regarding the purchase of vacant lots by the Dallas Housing Acquisition and Development Corporation

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.)

- Don Blanton, Deep Ellum I, Ltd., Deep Ellum II, Ltd., Deep Ellum III, Ltd., 2615-17 Commerce Street Partnership, Jernigan Realty Partners, LP, Robert Merrill and Karen L. Merrill, International Lion's Lairs, L.L.C., Wayne Bazzle, Cheryl Bazzle, Crystaline E. Wheeler, Linda L. Kluck, Sandra S. Coone, Sam W. Owen, J.R. Gilpin, Crugar S. Ragland, Trustee of the Ragland Property Trust, Henry J. Evans, Park-A-Lot, LP, Peter Fonberg, Trustee of the Jeannette Schwartz Trust, Peter Fonberg, Trustee of the Hymie Schwartz Trust and Caron Barrett v. the City of Dallas, Cause No. 04-02922-K
- Legal issues regarding a tax increment financing reinvestment zone for the Deep Ellum area
- Legal issues regarding the purchase of vacant lots by the Dallas Housing Acquisition and Development Corporation

The following items were made a part of the closed session:

Consent agenda item 81

No other matters were discussed during the closed session.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1228

Addendum addition 1: Authorize a forty-eight-month service contract for grounds maintenance services at the West Dallas Multipurpose Center, various Park and Recreation properties, and various Dallas Public Library properties with the lowest responsible bidders of eight-JBA Landscape maintenance, LLC in the amount of \$1,077,344, Capo, Inc. in the amount of \$1,028,234, Good Earth in the amount of \$460,890, Toledo Landscaping, LLC in the amount of \$922,404, Yielding Seed Lawn Service in the amount of \$105,600, and Forest hills lawn Service in the amount of \$48,600 – Total not to exceed \$3,643,072 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1229

Addendum addition 2: Authorize settlement of the lawsuit styled Irma Jean James and Terri Lary v. City of Dallas, Civil Action No. 3:98-CV-0436-R - \$100,000 -
Financing: Current Funds

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1230

Addendum addition 3: Authorize **(1)** a public hearing to be held on June 22, 2005 to receive citizens' comments on a proposed amendment to the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan to add regulatory and contractual costs to the sales price; and, at the close of the hearing, **(2)** consideration of approval of the amendments to the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1231

Addendum addition 4: Authorize a Memorandum of Understanding and participation in the Ferguson Road Initiative Two-Points Area Weed and Seed Grant Program through the U.S. Department of Justice, to provide law enforcement services to the citizens in the eastern section of the City for the period of May 1, 2006 through April 30, 2007 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1232

Addendum addition 5: Authorize **(1)** a public hearing to be held on June 8, 2005 to receive citizens' comments on amendments to the City Center Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) reduce the City Center TIF District budget by (\$8,833,226), from \$96,400,943 to \$87,567,717, (b) amend the City Center TIF District Boundary, (c) adjust the base year value, and (d) make corresponding modifications to the Plan and Ordinance Nos. 22802 and 23034 to implement such plan amendments for the City Center TIF District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance amending Ordinance Nos. 22802 and 23034 to reflect all such Plan amendments - Financing: No cost consideration to the City

Councilmember Lill moved to adopt a resolution calling the public hearing on June 8, 2005 to receive citizens' comments on amendments to the City Center Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1233

Addendum addition 6: Authorize **(1)** a public hearing to be held on June 8, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Downtown/Uptown area (Downtown Connection TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Downtown Connection TIF District - Financing: No cost consideration to the City

Councilmember Lill moved to adopt the resolution calling the public hearing on June 8, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Downtown/Uptown area (Downtown Connection TIF District).

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Garcia, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1234

Addendum addition 7: Authorize **(1)** a public hearing to be held on April 27, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Design District area (Design District TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Design District TIF District - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding this item:

Larry Good, 9606 Jourdan Way
George Shafer, 11711 Forest Ct.
Dave Neumann, 1009 Lausanne Ave., representing Stemmons Corridor Businesses
Bob Darrouzet, 4600 Beverly Dr., representing Trinity & Design
Steve Bancroft, no address given, representing Crow Holdings

Mayor Pro Tem Loza moved to adopt the resolution to receive citizens' comments to consider the creation of a tax increment financing reinvest zone for the Design District area (Design District TIF District); direct staff to include the eligibility criteria and the TIF budget will not include a parking garage on the April 27, 2005 city council voting agenda meeting .

Motion seconded by Councilmember Lill and unanimously adopted. (Oakley abstain; Garcia, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1235

Addendum addition 8: Authorize **(1)** a public hearing to be held on April 27, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Vickery Meadow area (Vickery Meadow TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Vickery Meadow TIF District - Financing: No cost consideration to the City

Councilmember Oakley moved to adopt the resolution calling the public hearing on April 27, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Vickery Meadow area (Vickery Meadow TIF District)

Motion seconded by Councilmember Chaney.

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". (Garcia, Salazar absent when vote taken; Fantroy absent)

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1236

Addendum addition 9: Authorize **(1)** a public hearing to be held on April 27, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Southwestern Medical area (Southwestern Medical TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Southwestern Medical TIF District - Financing: No cost consideration to the City

Mayor Pro Tem Loza moved to adopt the resolution calling the public hearing on April 27, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Southwestern Medical are (Southwestern Medical TIF District),

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

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1237

Addendum addition 10: Authorize **(1)** a public hearing to be held on April 27, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Deep Ellum area (Deep Ellum TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Deep Ellum TIF District - Financing: No cost consideration to the City

Councilman 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.

Mayor Pro Tem Loza moved to postpone the hearing to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Deep Ellum area (Deep Ellum TIF District) until the May 11, 2005 city council voting agenda meeting.

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

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 13, 2005

05-1238

Addendum addition 11: Authorize **(1)** acceptance of the recommendation of the Homeless Task Force to place the Homeless Assistance Center at the St. Louis Street site; and, **(2)** acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Samuel M. Harrington of approximately 22,756 square feet of land located near the intersection of St. Louis Street and Park Avenue for the Homeless Assistance Center project - \$560,000 - Financing: 2003 Bond Funds

Councilmember Finkelman moved approval of the item.

Motion seconded by Councilmember Lill.

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

Mayor Miller declared the motion was adopted on a divided voice vote with Councilmembers Griffith and Blaydes voting "No". (Garcia absent when vote taken; Fantroy absent)

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 13, 2005

EXHIBIT C

5/12/2005 11:27 AM
G:\2005MIN\cc041305.doc