

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 8, 2005

05-1700

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

PRESENT: [13] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Fantroy, Griffith,
Blaydes, Finkelman, Greyson, Rasansky, Lill
ABSENT: [2] Salazar, Chaney absent on city business

The meeting was called to order at 9:29 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 5:26 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.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 8, 2005

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 8, 2005

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1701

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: James K. Wagborne, 5524 Belmont Ave.
REPRESENTING: Dallas Homeless Neighborhood Association
SUBJECT: Homelessness

SPEAKER: James Dunn, 3635 Blue Ridge
SUBJECT: Change street name to honor Ronald Reagan

SPEAKER: Joe Tave, 3330 Shady Hollow Ct.
SUBJECT: Charter Review and community problems

SPEAKER: Erma Dodd, 2929 Kings Rd.
REPRESENTING: North Texas Community Development Association
SUBJECT: Affordable housing

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: Paul Quinn
Spoke on May 25, 2005 AM speaker.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1702

Item 1: Approval of Minutes of the May 11, May 15, and May 25, 2005 City Council Meetings.

Councilmember Oakley moved to approve the minutes.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1703

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-58 and addendum addition consent agenda items 1-10, were presented for consideration.

Councilmember Greyson requested that consent agenda items 3 and 10 and addendum addition consent agenda item 5 be considered as an individual item. Mayor Miller stated that consent agenda items 3 and 10 and addendum addition consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Blaydes requested that consent agenda items 4, 15 and 22 be considered as individual items. Mayor Miller stated that consent agenda items 4, 15 and 22 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Blaydes' request.

Councilmembers Griffith and Lill requested that consent agenda item 19 be considered as an individual item. Mayor Miller stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Griffith and Lill's request.

Councilmember Rasansky requested that consent agenda items 20, 35, 40 46 and 58 and addendum addition consent agenda item 4 be considered as an individual item. Mayor Miller stated that consent agenda items 20, 35, 40, 46 and 58 and addendum addition consent agenda item 4 would be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Finkelman requested that consent agenda items 22 and 40 and addendum addition consent agenda items 5 and 7 be considered as an individual item. Mayor Miller stated that consent agenda items 22 and 40 and addendum addition consent agenda items 5 and 7 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

The city secretary requested that consent agenda item 27 be considered as an individual item as a citizen had signed up to speak. Mayor Miller stated that consent agenda item 27 would be considered as an individual item later in the meeting as a citizen had signed up to speak, there being no objection voiced to the city secretary's request.

Councilmember Garcia requested that consent agenda items 50 be considered as an individual item. Mayor Miller stated that consent agenda 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

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

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 3, 4, 10, 15,19, 20, 22, 27, 35, 40, 46, 50 and 58 and addendum addition consent agenda items 4, 5 and 7 which would be considered later in the meeting.

Motion seconded by Councilmember Lill and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1704

Item 2: Authorize a professional services contract with HNTB Corporation to provide boundary, topography and utility survey, environmental, trail planning, conceptual and schematic design and construction documents for trail improvements for the Old Trinity Trail located at Old Trinity Meanders from Oak Lawn Avenue to Motor Street - \$362,488 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1705

Item 3: Authorize (1) professional services contracts with Architexas Architecture, Planning and Historic Preservation, Inc., Norman Alston Architects and Marcel Quimby Architecture/Preservation, Inc. for the period of June 8, 2005, through May 31, 2006, with two one-year renewal options, to provide the Historic American Buildings Survey Level I, Level III and Level IV documentation of National Register eligible and listed properties that are under demolition order by the City in an amount not to exceed \$80,000; and (2) a professional services contract with Preservation Dallas, for the period of June 8, 2005 through September 30, 2006, to conduct historic resource surveys of the South Dallas area in the amount of \$15,000 and the Tenth Street neighborhood in the amount of \$5,000 - Total not to exceed \$100,000 - Financing: 2002-03 Community Development Grant Funds (\$35,000), 2003-04 Community Development Grant Funds (\$15,000), and 2004-05 Community Development Grant Funds (\$50,000)

Councilmember Greyson requested that consent agenda item 3 be considered as an individual item. Mayor Miller stated that consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 3 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1706

Item 4: Authorize a professional services contract with Lopez Garcia Group to provide surveying, schematic design, bidding and construction documents for paving, grading and drainage improvements to the existing parking lot at Lake Highlands North Park located at 9344 Church Road - \$35,683 - Financing: 2003 Bond Funds

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

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

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1707

Item 5: Authorize a professional services contract with A.N.A. Consultants, L.L.C. to provide topographic survey, conceptual design, design development, construction documents and construction administration for the construction of a concrete walking and jogging trail and erosion control along the trail alignment at Mountain Valley Park located at 1428 Merrifield Road - \$28,066 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1708

Item 6: Authorize a professional services contract with Oglesby Greene, Inc. to provide topographic survey, schematic design, design development, construction documents, bidding and construction administration for improvements including a picnic pavilion, Americans with Disabilities Act compliant drinking fountain and sidewalks at Brownwood Park located at 3424 Walnut Hill Lane and a picnic pavilion, Americans with Disabilities Act compliant drinking fountain, parking area renovation and a foot bridge at the north end at Northaven Park located at 3800 Northaven - \$77,300 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1709

Item 7: Authorize a professional services contract with Jones & Boyd, Inc. to provide topographic survey, schematic design, design development, construction documents, bidding and construction administration for improvements including a new parking lot, renovation of existing ball fields and replacement of field lighting at Jaycee/Zaragoza Park located at 3114 Clymer - \$59,560 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1710

Item 8 : Authorize a contract for site improvements including a playground, multi-use court and site furnishings at Elmwood Parkway located at 2200 Rugged - A S Con., Inc., lowest responsible bidder of seven - \$125,100 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1711

Item 9 : Authorize a contract for site improvements including renovation of the existing ball field, installation of metal bollards and Americans with Disabilities Act access to the recreation center and tennis courts at Walnut Hill Park located at 10011 Midway Road - Vortex Construction G.P., Inc., lowest responsible bidder of six - \$96,553 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1712

Item 10 : Authorize a contract for site improvements including a playground, site furnishings and chain link fencing at Bentwood Park located at 6011 Bentwood Trail - Vortex Construction G.P., Inc., lowest responsible bidder of six - \$134,626 - Financing: 2003 Bond Funds

Councilmember Greyson requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 10 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1713

Item 11 : Authorize a contract for the reconstruction of alley paving, storm drainage and wastewater main improvements for Alley Group 03-2010 (list attached) - P & E Contractors, Inc., lowest responsible bidder of six - \$587,765 - Financing: 2003 Bond Funds (\$488,665), Water Utilities Capital Improvement Funds (\$94,100), Water Utilities Capital Construction Funds (\$5,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1714

Item 12 : Authorize a contract for alley paving and water and wastewater main improvements for Alley Group 03-2011 (list attached) - Jeske Construction Company, lowest responsible bidder of four - \$461,527 - Financing: 2003 Bond Funds (\$247,378), Water Utilities Capital Improvement Funds (\$203,848) and Water Utilities Capital Construction Funds (\$10,301)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1715

Item 13 : Authorize a contract for the reconstruction of alley paving and storm drainage improvements for Alley Group 03-2012 (list attached) - V.A. Construction, Inc., lowest responsible bidder of seven - \$394,734 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1716

Item 14 : Authorize a contract for the construction of storm drainage improvements and water and wastewater adjustments for Pemberton Hill, Phase II including a drainage relief system that will connect to an existing system along Pemberton Hill Road - P & E Contractors, Inc., lowest responsible bidder of five - \$862,865 - Financing: 1995 Bond Funds (\$259,000), 1998 Bond Funds (\$603,865)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1717

Item 15 : Authorize a contract for the construction of the Doran Pump Station - Archer Western Contractors, Ltd., lowest responsible bidder of two - \$4,993,000 - Financing: Water Utilities Capital Improvement Funds

Councilmember Blaydes requested that consent agenda item 15 be considered as an individual item. Mayor Miller stated that consent agenda item 15 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 15 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1718

Item 16 : Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for repairs and stabilization of the existing masonry wall above the roof deck, additional tapered roof insulation, installation of an additional light fixture in the breezeway area and additional circuit breakers and conduit for breezeway lighting and electrical outlets at the Poultry Building within the Pan American Complex at Fair Park located at Admiral Nimitz near Martin Luther King, Jr. Boulevard - \$59,024, from \$1,518,062 to \$1,577,086 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1719

Item 17 : Authorize an increase in the contract with Barson Utilities, Inc. for modifications of the storm water quality improvements, Phase I, at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$86,634, from \$610,990 to \$697,624 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1720

Item 18 : Authorize Supplemental Agreement No. 2 to the design/build contract with MetalMan Design/Build Corporation to increase the Guaranteed Maximum Price for the construction of the birds of prey netting, breezeway improvements, monorail roofing replacement, Nile crocodile exhibit, rhinoceros iguana exhibit and saddle-billed stork exhibit at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$560,542, from \$518,808 to \$1,079,350 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1721

Item 19 : Authorize (1) Supplemental Agreement No. 5 to the contract with Washington Group International, Inc. (formerly Washington Infrastructure Services, Inc.) to provide engineering services for bicycle and pedestrian enhancements for Phase III and Phase IV of the KATY Trail extension in the amount of \$51,275, from \$759,082 to \$810,357, (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$41,020, and (3) an increase in appropriations in the amount of \$41,020 in the Capital Projects Reimbursement Fund - Total not to exceed \$51,275 - Financing: 2003 Bond Funds (\$10,255), Texas Department of Transportation Funds (\$41,020)

Councilmembers Griffith and Lill requested that consent agenda item 19 be considered as an individual item. Mayor Miller stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Griffith and Lill's request.

Later in the meeting, agenda item 19 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Salazar absent; Loza, Hill, Thornton Reese absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1722

Item 20 : Authorize (1) two twenty-year leases, with one five-year renewal option, with American Tower Corporation for WRR Municipal Radio, for the primary broadcast (transmitter) tower and the auxiliary (back-up) broadcast tower in an amount not to exceed \$3,174,332, and (2) the construction of a build-out facility to house the transmitter equipment for the station in an amount not to exceed \$190,000 - Total not to exceed \$3,364,332 - Financing: Current Funds (\$3,174,332) (subject to annual appropriations); Municipal Radio Facility Improvement Funds (\$190,000)

Councilmembers Rasansky requested that consent agenda item 20 be considered as an individual item. Mayor Miller stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Griffith and Lill's request.

Later in the meeting, agenda item 20 was brought up for consideration.

Councilmember Lill 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 voter with Councilmember Rasansky voting "No." (Salazar absent; Loza absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1723

Item 21: Authorize (1) alley paving, storm drainage, and wastewater main improvements for Project Group 03-3000; provide for partial payment of alley construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on August 10, 2005 to receive citizens' comments (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1724

Item 22 : Authorize the rejection of bids received for the new Animal Shelter located at 1818 N. Westmoreland Road and readvertisement for new bids - Financing: No cost consideration to the City

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

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

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Hill, Fantroy absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1725

Item 23 : A resolution authorizing the sale of approximately 16,893 square feet of unwanted and unneeded City-owned land located near the intersection of Collett and Bennett Avenues to the only bidder, Live Oak Residences, LP - Revenue: \$195,00

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1726

Item 24 : A resolution authorizing the sale of approximately 24,831 square feet of unwanted and unneeded City-owned land, improved with a fire station located near the intersection of Lake June Road and Prichard Street to the highest bidder, Avan Easter, Sr. - Revenue: \$133,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1727

Item 25 : An ordinance abandoning a portion of an alley to Southern Crest Missionary Baptist Church, the abutting owner, containing approximately 1,500 square feet of land located near the intersection of Locust Avenue and Dalton Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26002.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1728

Item 26 : An ordinance abandoning a portion of an alley to Addison Stone, L.L.C., the abutting owner, containing approximately 2,157 square feet of land located near the intersection of R. L. Thornton Freeway and Ewing Avenue, and authorizing the quitclaim - Revenue: \$25,884 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26003.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1729

Item 27 : An ordinance abandoning portions of alleys to Providence Christian School of Texas, the abutting owner, containing a total of approximately 1,455 square feet of land located near the intersection of Lovers Lane and Caillet Street, and authorizing the quitclaim - Revenue: \$24,733 plus the \$20 ordinance publication fee

The city secretary requested that consent agenda item 27 be considered as an individual item as a citizen had signed up to speak. Mayor Miller stated that consent agenda item 27 would be considered as an individual item later in the meeting as a citizen had signed up to speak, there being no objection voiced to the city secretary's request.

Later in the meeting, agenda item 27 was brought up for consideration.

The following individual addressed the city council regarding the item:

Amelia Perez, 4912 Kelton Dr.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26004.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1730

Item 28 : An ordinance abandoning Victor alley to Baylor Health Care System, the abutting owner, containing approximately 9,700 square feet of land located near the intersection of Washington Avenue and Crutcher Street, and authorizing the quitclaim
- Revenue: \$115,430 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26005

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1731

Item 29 : An ordinance granting a private license to Rolex Texas Realty (Delaware) Corporation for the use of approximately 1,608 square feet of land to construct and maintain decorative retaining walls, steps, landscaping, irrigation, lighting and conduits located in portions of Payne and McKinnon Streets rights-of-way at their intersection - Revenue: \$7,381 annually plus the \$20 ordinance publication

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26006

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1732

Item 30 : Authorize conveyance to the State of Texas of approximately 7,723 square feet of land located near the intersection of Interstate Highway 30 and North Walton Walker Boulevard for the Interstate Highway 30 Improvement project - Revenue: \$3,500

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1733

Item 31 : Authorize the release of lien on real property located at 4150 2nd Avenue to Walker Auto Body and Frame Shop - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1734

Item 32 : Authorize the release of lien on real property for the construction of the Spring Plaza Business Complex located at 4907 Spring Avenue to Innerscity Community Development Corporation, Inc. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1735

Item 33 : Authorize an 84-month lease agreement with Donald J. Tivens and Marilyn Tivens, Trustees of the Donald J. Tivens and Marilyn Tivens Family Trust for approximately 5,015 square feet of office space located within Seville III at 3218 Highway 67 (I-30), in Mesquite, Texas, to be used as a Women, Infants, and Children clinic for the period August 1, 2005 through July 31, 2012 - Total not to exceed \$561,681 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1736

Item 34 : Authorize (1) a public hearing to be held on June 22, 2005 to receive citizens' comments on the proposed private sale by quitclaim deed of 2 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization; and, at the close of the hearing, (2) consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1737

Item 35 : Authorize a temporary unit price increase in the price agreement for liquid ferric sulfate for the period of June 9, 2005 through September 30, 2005, with Fini Enterprises, Inc. dba General Chemical - Not to exceed \$104,755, from \$17,256,240 to \$17,360,995 - Financing: Water Utilities Current Funds

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

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

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Finkelman.

After discussion, Mayor Miller called the vote on motion.

Voting Yes:	[8]	Miller, Loza, Garcia, Oakley, Fantroy, Griffith, Finkelman, Greyson
Voting No:	[2]	Blaydes, Rasansky
Absent:	[1]	Salazar
Absent when vote taken:	[3]	Hill, Thornton Reese, Lill
Absent on City Business:	[1]	Chaney

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1738

Item 36 : Authorize a sixty-month extension to the maintenance contracts for the mainframe server, disk drives, controller, and disk storage with Fujitsu Computer Systems Corp. in the amount of \$229,115, and Storage Technology Corporation in the amount of \$593,309 - Total not to exceed \$822,424 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1739

Item 37 : Authorize the purchase of a hazardous material identification system from Smiths Detection, Inc. - Sole Source - Not to exceed \$60,625 - Financing: 2004 Urban Area Initiative Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1740

Item 38 : Authorize (1) ten-year food service contracts for concessions at the Cotton Bowl and Old Mill Inn at Fair Park for the period June 8, 2005 through June 7, 2015, and, (2) five-year food service contracts for concessions in the Band Shell and Food and Fiber Pavilion at Fair Park for the period June 8, 2005 through June 7, 2010 with the best value bidder of three - Ed Campbell Company, Inc. - Estimated Annual Net Revenue: \$845,200

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1741

Item 39 : Authorize the purchase of a 66Z Plus Backscatter x-ray machine that provides a more effective method of identifying contents in concealed packages from American Science and Engineering, Inc. through the General Services Administration - Sole Source - Not to exceed \$67,566 - Financing: 2004 Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1742

Item 40 : Authorize a thirty-six-month service contract for concrete recycling with the only bidder - Big City Crushed Concrete, Inc. - Not to exceed \$745,500 - Financing: Current Funds

Councilmembers Finkelman and Rasansky requested that consent agenda item 40 be considered as an individual item. Mayor Miller stated that consent agenda item 40 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Finkelman and Rasansky's request.

Later in the meeting, agenda item 40 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.(Salazar absent; Loza, Lill absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1743

Item 41 : Authorize the purchase of two Duperon trashrack systems to be installed at the Delta and New Hampton Pump Stations to remove debris carried to the pump stations through the stormwater system from Duperon Corp. - Sole Source - Not to exceed \$484,950 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1744

Item 42 : Authorize the purchase of software licenses and hardware to expand the program registration and membership pass management system at all recreation centers from Class Software Solutions through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program - Not to exceed \$280,000 - Financing: Current Funds (\$30,000)(\$14,000 subject to appropriations), ID System Trust Funds (\$250,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1745

Item 43: Authorize adoption of By-Laws of Tax Increment Financing Zone Number Nine (Vickery Meadow TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1746

Item 44 : Authorize adoption of By-Laws of Tax Increment Financing Zone Number Ten
(Southwestern Medical TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1747

Item 45 : Authorize (1) a public hearing to be held on August 10, 2005 to receive citizens' comments to consider the creation of the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the South Side Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by an assessments for each property owner of record on real property and real property improvements in the District; and at the close of the hearing, (2) consideration of an ordinance creating the South Side Public Improvement District Service Plan for 2006-12 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1748

Item 46 : Authorize (1) a public hearing to be held on August 10, 2005 to receive citizens' comments to consider the creation of the Preston Hollow North Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Preston Hollow North Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by a fixed assessment for each property owner of record on real property and real property improvements in the District; and at the close of the hearing, (2) consideration of an ordinance creating the Preston Hollow North Public Improvement District Service Plan for 2006-12 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Miller stated that consent agenda item 46 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 46 was brought up for consideration.

Councilmember Rasansky moved to defer the item until the August 10, 2005 voting agenda meeting.

Motion seconded by Councilmember Blaydes and unanimously adopted.(Salazar absent; Loza absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1749

Item 47 : Authorize (1) a second amendment to the contract with Texas Commission on Environmental Quality to accept additional grant funds to operate air samplers for PM 2.5 and conduct air monitoring activities in Dallas for the period September 1, 2005 through August 31, 2006; and, (2) execution of the grant agreement - Not to exceed \$124,000, from \$124,000 to \$248,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1750

Item 48 : Authorize (1) a third amendment to the contract with the Texas Commission on Environmental Quality to accept additional grant funds to operate and maintain the continuous ambient air monitoring station in Sunnyvale, Texas; (2) an extension to the agreement term for the period September 1, 2005 through August 31, 2006; and, (3) execution of the grant agreement - Not to exceed \$50,000, from \$100,000 to \$150,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1751

Item 49 : Authorize (1) the acceptance of grant funds in the amount of \$367,790 from the Texas Commission on Environmental Quality for air monitoring activities for the period September 1, 2005 through August 31, 2007, (2) a local match in an amount not to exceed \$181,150 over the two-year term, and (3) execution of the grant agreement - Total not to exceed \$548,940 - Financing: Texas Commission on Environmental Quality Grant Funds (\$367,790) and Current Funds (\$181,150) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1752

Item 50 : Authorize position additions associated with Phase II of the Civilianization Plan for Dallas Police Department's personnel and the use of appropriated funds - Financing:
No additional cost consideration to the City

Councilmember Garcia requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Later in the meeting, agenda item 50 was brought up for consideration.

Councilmember Garcia moved to approve the item

Motion seconded by Councilmember Finkelman and unanimously adopted.(Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1753

Item 51 : Authorize a secured no interest, forgivable loan to Westmoreland Heights Neighborhood Association for the acquisition and construction of the Westmoreland Heights Community House, located at 3739 Homeland Street, to provide neighborhood services and community development eligible activities for a five-year term - Not to exceed \$187,500 - Financing: 1999-00 Urban Development Action Grant Funds (\$20,000), 2000-01 Urban Development Action Grant Funds (\$20,000), 2001-02 Urban Development Action Grant Funds (\$125,000), 2002-03 Urban Development Action Grant Funds (\$22,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1754

Item 52 : Authorize the reconstruction on-site of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 2312 Anderson Street - Not to exceed \$70,000 - Financing: 2004-05 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1755

Item 53 : A resolution (1) establishing the Downtown Dallas Development Authority (DDDA), (2) approving the DDDA's articles of incorporation to authorize the City Manager to file the articles with the Secretary of State, authorize expenditures for fees associated with the filing of articles and other expenses relating to the incorporation of the DDDA, and various operations and startup activities, and (3) approving the DDDA's By-laws - \$25 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1756

Item 54 : An ordinance amending Chapter 8 of the Dallas City Code to allow a person to serve on more than one Tax Increment Financing Reinvestment Zone Board - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26007.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1757

Item 55 : Authorize a three-year renewal option to the contract with Southwest Perennials to operate the Greenhouse at Crawford Park located at 8740 Elam Road beginning July 1, 2005 through June 30, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1758

Item 56 : Authorize a contract with Teal Engineering Services, Incorporated to provide engineering services to develop specifications for a new centralized traffic/signal computer control system and to assist staff with procurement, system implementation and acceptance testing - \$190,958 - Financing: 2003 Bond Funds (\$25,970), Texas Department of Transportation (\$164,988)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1759

Item 57 : Authorize adoption of the Comprehensive Transportation Plan for the Dallas Central Business District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1760

Item 58 : Authorize Supplemental Agreement No. 3 to the contract with the City of Grand Prairie for wholesale treated water to deliver treated water within the City of Dallas limits for the period of October 1, 2005 through September 30, 2012 (\$40,874 per year beginning October 1, 2006) - Total Estimated Revenue: \$245,244

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 Oakley moved to approve the item

Motion seconded by Councilmember Garcia and unanimously adopted.(Salazar absent; Loza absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1761

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 59-65, were presented for consideration.

Agenda item 59: Zoning Case Z045-183(WE)

Agenda item 60: Zoning Case Z045-185(FD)

Agenda item 61: Zoning Case Z045-190(MM)

Agenda item 62: Zoning Case Z045-199(WE)

~~Agenda item 63: Zoning Case Z045-205(DW)~~

[Considered individually]

Agenda item 64: Zoning Case Z045-207(MM)

~~Agenda item 65: Zoning Case Z045-296(MM)~~

[Considered individually]

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

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

Angeline Ewers, no address given, regarding Zoning Case Z045-183(WE).

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

Tim Miranda, 7001 Preston Rd., representing the applicant, regarding Zoning Case Z045-183(WE).

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

William Hopkins, 2011 Leath St.

Marvin Crenshaw, 5134 Malcolm X Blvd.

Councilmember Garcia 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 Griffith and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1762

Item 59 : Zoning Case Z045-183(WE)

An application for and an ordinance creating a new subdistrict for retail uses within Subarea 1b of Planned Development District No. 316, the Jefferson Area Special Purpose District, on the south line of Jefferson Boulevard, west of Van Buren Avenue

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26008.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1763

Item 60 : Zoning Case Z045-185(FD)

An application for and an ordinance granting an amendment to the conditions of Specific Use Permit No. 1515 for a Child-care facility on property zoned an R-7.5(A) Single Family District, located on the east side of Lancaster Road, north of Sylvia Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26009.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1764

Item 61 : Zoning Case Z045-190(MM)

An application for and an ordinance granting a Planned Development Subdistrict for Multiple Family uses in Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multiple Family Subdistrict, in Planned Development District No. 193, in an area generally bounded by Herschel Avenue, Dickason Avenue (both sides), Wycliff Avenue and Hartford Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26010.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1765

Item 62 : Zoning Case Z045-199(WE)

An application for and an ordinance granting a Specific Use Permit for an Accessory Community Center (private) and a pool facility on property zoned a CH Clustered Housing District, on the south line of Camp Wisdom Road at Manitoba Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26011.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1766

Item 63 : Zoning Case Z045-205(DW)

The consent zoning docket, consisting of agenda items, 59-65, were presented.

Councilmember Oakley requested that consent zoning docket item 63 be removed from the consent zoning docket, to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 63 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Oakley's request.

Later in the meeting, zoning docket item 63 was brought up for consideration.

A public hearing was called on zoning case Zoning Case Z045-205(DW), An application for and an ordinance granting an R-10(A) Single Family District on property zoned a CR-D Community Retail District with a Liquor Control Overlay, located on the southwest corner of Kiest Boulevard and Guadalupe Avenue.

(The city plan commission recommended approval with retention of the D Liquor Control Overlay.)

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 with the following change:

That the zoning classification from a CR-D Community Retail District with a D Liquor Control Overlay to an R-16(A) and pass the ordinance.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26012.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1767

Item 64 : Zoning Case Z045-207(MM)

An application for and an ordinance granting an MU-3 Mixed Use District on property zoned an LI Light Industrial District located on the east side of Worcola Street, south of Yale Boulevard

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26013.

JUNE 8, 2005

05-1768

Item 65: Zoning Case Z045-296(MM)

The consent zoning docket, consisting of agenda items, 59-65, were presented.

Councilmember Rasansky requested that consent zoning docket item 65 be removed from the consent zoning docket, to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 65 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket item 65 was brought up for consideration.

A public hearing was called on zoning case Zoning Case Z045-296(MM) an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 504 for a Private School and R-16(A) Single Family District uses on property zoned Planned Development District No. 504 and an R-16-(A) Single Family District on the southeast corner of Midway Road and Northaven Road.

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

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

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

Mike Coker, 2700 Swiss Ave., representing the applicant.

Councilmember Rasansky moved to close the public hearing, accept the recommendations of the city plan commission with the following change:

The ordinance and landscape plan to return on the June 22, 2005 docket, to include:

- Deletion of a temporary batching plant as a permitted use.
- Addition of the following conditions for a church or private school use:
 1. Light standards within Tract 2 and within 100 ft of Northaven are limited to a maximum of 5 ft in height.
 2. The parking area adjacent to Northaven must be screened by a minimum 3 ft tall evergreen hedge, with shrubs planted on 2 ft centers such that a solid screen will be provided within 2 years of planting. This screening must be provided in conjunction with any building permit for new construction on the site.

3. The parking area on the eastern end of tract 2 may not have access to the remainder of the site. A permanent vehicle barrier must separate this area from the remainder of the site. This must be reflected on an amended landscape plan.
4. A minimum 3 ft tall wrought iron fence is required at the eastern end of the parking lot within tract 2 as shown on the landscape plan.
5. The director of Public Works and Transportation is to investigate the feasibility of placing no parking signs on the southern side of Northaven on the northern boundary of the site.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1769

Item 66: Public Hearing - Zoning Case Z045-203(DW)

A public hearing was called on zoning case Zoning Case Z045-203(DW), an application for and an ordinance granting a change from Subarea 1C to Subarea 2 within Conservation District No. 7, the Bishop/Eighth Street Conservation District, on the north side of Eighth Street, east of Bishop Avenue.

(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:

Mike Morgan, 9453 Heatherdale, representing the applicant.

Councilmember Garcia moved to close the public hearing, accept the recommendation of the city plan commission for approval of a change in zoning from Subarea 1C to Subarea 2 within Conservation District No. 7 with the following technical correction:

The zoning is changed to Subarea 2A, not Subarea 2 and pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26014.

JUNE 8, 2005

05-1770

Item 67: Public Hearing - Zoning Case Z045-145(WE) – DALLAS INDEPENDENT SCHOOL DISTRICT

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.

A public hearing was called on zoning case Zoning Case Z045-145(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-10(A) Single Family District uses on property zoned an R-10(A) Single Family District and an R-7.5(A) Single Family District, on the southeast corner of Webb Chapel Road and Walnut Hill Lane

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

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

Councilmember Garcia moved to postpone consideration of the application until the June 22, 2005 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Oakley and unanimously adopted. (Blaydes abstain; Salazar absent; Hill, Finkelman absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1771

Item 68: Public Hearing - Zoning Case Z045-206(JA) - DALLAS INDEPENDENT SCHOOL DISTRICT

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.

A public hearing was called on zoning case Zoning Case Z045-206(JA), a Landmark Commission authorized hearing to consider an Historic Overlay for the Stephen J. Hay Elementary School on property zoned Planned Development Subdistrict No. 51 for a public school other than open enrollment charter school and MF-2 Multiple-Family Subdistrict uses, in Planned Development District No. 193, Oak Lawn Special Purpose District, on the northeast side of Gilbert Avenue between Prescott Avenue and Hershel Avenue and an ordinance granting the overlay.

(The city plan commission recommended approval, subject to preservation criteria.)

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

Councilmember Lill moved to postpone consideration of the application until the September 14, 2005 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Griffith and unanimously adopted. (Blaydes abstain; Salazar absent; Finkelman absent when vote taken; Chaney absent on city business)

JUNE 8, 2005

05-1772

Item 69: Public Hearing - Zoning Case Z045-210(MM) - DALLAS INDEPENDENT SCHOOL DISTRICT

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.

A public hearing was called on zoning case Zoning Case Z045-210(MM), an application for and an ordinance granting a Planned Development District for a Public School other than an open-enrollment charter school and MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District on the northeast corner of the intersection of St. Augustine Road and Scyene Road.

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

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

Deputy Mayor Pro Tem Hill moved to close the public hearing, accept the recommendation of the city plan commission with the following changes for a public school other than an open-enrollment charter school:

1. Parking lot screening is not required other than as shown on the development plan
2. Fences up to a maximum height of six feet may be located in a required front yard and pass the ordinance.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Blaydes abstain; Salazar absent; Finkelman absent when vote taken; Chaney absent on city business)

Assigned ORDINANCE NO. 26015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1773

Item 70: Public Hearing - Zoning Case Z045-182(WE) - DALLAS INDEPENDENT SCHOOL DISTRICT

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.

A public hearing was called on zoning case Zoning Case Z045-182(WE), an application for and an ordinance granting an RR Regional Retail District on property zoned Planned Development District No. 579 for a bus fueling station and light service facility, on the southeast corner of Lancaster Avenue and Ninth Street.

(The city plan commission recommended approval.)

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

Councilmember Garcia moved to postpone consideration of the application until the June 22, 2005 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Griffith and unanimously adopted. (Blaydes abstain; Salazar absent; Finkelman absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1774

Item 71: Public Hearing - Zoning Case Z045-112(MF/DW)

A public hearing was called on zoning case Zoning Case Z045-112(MF/DW), an application for and an ordinance granting a Specific Use Permit for a Refuse Transfer Station on property zoned an IM Industrial Manufacturing District, on the northwest side of Childs Street, northeast of Pontiac 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.)

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

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

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26016.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1775

Item 72: Public Hearing – Special Provision Sign District SPSD 045-007A(DC)

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.

A public hearing was called on special provision sign district SPSD 045-007A(DC), a City Plan Commission authorized hearing to consider amendments to the Deep Ellum/Near East Side Special Provision Sign District to create a new category of sign for parking lots to standardize signage for parking areas while allowing the display of non-premise advertising and providing enhanced security lighting on adjacent sidewalks and streets and an ordinance granting the amendments.

(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:

Barry Anino, 2619 Colby

Mayor Pro Tem Loza moved to postpone consideration of the application until the August 10, 2005 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Garcia and unanimously adopted. (Rasansky abstain; Salazar absent; Finkelman absent when vote taken; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1776

Item 73: BENEFIT ASSESSMENT HEARINGS

A benefit assessment hearing to receive citizens' comments on sidewalk paving, and water and wastewater adjustments on Elam Road from St. Augustine Road to Masters Drive, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Roadway Engineering & Construction, Inc., lowest responsible bidder of nine - \$127,820 - Financing: 2003 Bond Funds (\$127,125), Water Utilities Capital Improvement Funds (\$310), and Water Utilities Capital Construction Funds (\$385)

No one appeared in opposition to or in favor of the benefit assessment on Elam Road.

Councilmember Fantroy moved to close the public hearing and pass the ordinance regarding the sidewalk paving, and water and wastewater adjustments on Elam road.

Motion seconded by Deputy Mayor Pro Tem Hill and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26017.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1777

MISCELLANEOUS HEARING

Note: Item nos. 74 and 75
must be considered collectively.

City Center TIF District

- Item 74 * A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) reduce the City Center TIF District budget 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 modifications to the Plan and amendments to Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City
- Item 75 * An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) reduce the City Center TIF District Budget 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 modifications to amendments to the Plan and amendments to Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City

Councilmember Lill moved to close the public hearing and pass the ordinance on amendments to the Project Plan and Reinvestment Zone Financing Plan (Plan) for Tax Increments Financing Reinvestment Zone number Five, (City Center TIF District).

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26018.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1778

Item 76: MISCELLANEOUS HEARING

An ordinance amending Ordinance No. 22802 previously approved on June 26, 1996, as amended to modify the By-Laws for Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District), to decrease the number of Directors for the City Center TIF District Board of Directors from fifteen to ten, decrease the number of City Council appointed Board of Directors from eleven to six, and approving the corresponding changes to the By-Laws of the City Center TIF District Board of Directors as originally adopted previously on April 8, 1998 by Resolution No. 98-1124 - Financing: No cost consideration to the City.

No one appeared in opposition to or in favor of modifying the By-Laws for Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District).

Councilmember Lill moved to close the public hearing and pass the ordinance modifying the By-Laws for Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District).

Motion seconded by Councilmember Finkelman and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26019.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1779

MISCELLANEOUS HEARING

Downtown Connection TIF District

Note: Item nos. 77 and 78
must be considered collectively.

- Item 77 * A public hearing to receive citizens' comments concerning the creation of a tax increment financing reinvestment zone for the Downtown area, to be known as the Downtown Connection TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City
- Item 78 * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Eleven to be known as the Downtown Connection TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311), and a resolution authorizing adoption of the Bylaws for Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the creation of a tax increment financing reinvestment zone for the Downtown area, to be known as the Downtown Connection TIF District.

Marvin Crenshaw, 5134 Malcolm X Blvd.
Tracy Curts, 2808 McKinney

Councilmember Lill moved to close the public hearing and pass the ordinance with the following change:

A revised Downtown Connection TIF boundary map, substituting Exhibit A-1 and page 4 of Exhibit B that will remove the two-block site of the 7-11 at One Arts Plaza project bounded by Routh Street on the south, Forbes Alley on the east, Boll Street on the north, and Wade Alley on the west.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26020.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1780

MISCELLANEOUS HEARING

Note: Item nos. 79 and 80
must be considered collectively.

Design District TIF District

- Item 79 * A public hearing to receive citizens' comments concerning 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) - Financing: No cost consideration to the City
Note: This item was considered by the City Council at a public hearing on April 27, 2005, and was taken under advisement until June 8, 2005, with the public hearing open.
- Item 80 * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Eight to be known as the Design District TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the

The following individuals addressed the city council regarding the creation of a tax increment financing reinvestment zone for the Design District area, (Design District TIF District).

Mike Cutner, 3352 Miro Place, representing Friends of Old Trinity Trail
Bob Darrouzet, 4600 Beverly Dr., representing Trinity Association
Mike Galvin, address not given

Mayor Pro Tem Loza moved to close the public hearing and pass the ordinance with the following changes:

For Exhibit B (Preliminary Plan), replace Schedule H, the Estimated TIF Project Costs, with a revised schedule consolidating certain budget categories and add Schedule K that describes eligibility criteria for projects requesting TIF funds.

Motion seconded by Councilmember Lill.

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". (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NOL 26021.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1781
05-1805
05-1806

Item 81: 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 following individual addressed the city council regarding the item:

Albert Parker, 6319 Elam Rd.

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 June 8, 2005.

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

Councilmember Lill moved to appoint Alice Rodriguez, Myron Mims, Robert L. Good and Daniel J. Blizzard to the Reinvestment Zone Eleven Board (Downtown Connection TIF District).

Motion seconded by Councilmember Finkelman and unanimously adopted. (Salazar absent; Chaney absent on city business)

Deputy Mayor Pro Tem Hill moved to appoint Myron Mims, chair to the Reinvestment Zone Eleven Board (Downtown Connection TIF District).

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Salazar absent; Chaney absent on city business)

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

**05-1805 RZ11 REINVESTMENT ZONE ELEVEN BOARD (DOWNTOWN
CONNECTIN TIF DISTRICT)**
05-1806 Board Officer

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1782

Item 82: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

There were no action taken on this item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1783

Item 83: Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for “non-residential” properties within 500 feet of the north or south right-of-way line of W. Northwest Highway, from Stemmons Freeway to Mixon Drive until October 17, 2005 - Financing: No cost consideration to the City (Requires a 3/4 vote of the full City Council for approval)

Councilmember Lill 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 Mayor Pro Tem Loza voting “No”. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1784

Item 84: Authorize hardship relief for property located at 3237 West Northwest Highway Suite No. 102 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 Garcia moved to postpone the item until the June 22, 2005 voting agenda meeting of the city council.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1785

Item 85: Authorize hardship relief for property located at 3237 West Northwest Highway Suite No. 103 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 Garcia moved to postpone the item until the June 22, 2005 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1786

Item 86: Authorize hardship relief for property located at 3701 West Northwest Highway Suite No. 148 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 Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-17867

Item 87: Authorize (1) the appointment of Nathan McClellan as City Treasurer; (2) the City Depository/City Treasurer's contract with Nathan McClellan, and his affiliated banking institution, Bank of America, N.A. for City depository and other banking services for a two-year period from August 1, 2005 through July 31, 2007 with an option to extend the term for an additional two years; (3) a tri-party agreement between the City, Bank of America, N.A., and the Federal Reserve Bank of Boston regarding collateral for City deposits; and (4) escrow/trust agreements with The Bank of New York Trust Company, N.A. - Not to exceed \$1,500,005 annually - Financing: Current Funds (\$1,020,005) and Water Utilities Current Funds (\$480,000)

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

Councilmember Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Hill and unanimously adopted. (Miller, Rasansky abstain; Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1788

Item 88: Authorize (1) a public hearing to be held on June 22, 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

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 with the following changes:

A revised Deep Ellum TIF boundary map, substituting Exhibit A in the resolution and page 4 of Exhibit B. The revised map reduces the area of the TIF District to focus on vacant and/or underdeveloped sites where, with TIF funding, redevelopment is anticipated.

Motion seconded by Deputy Mayor pro Tem Hill and unanimously adopted. (Rasansky abstain; Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1789

Item 89: An ordinance amending Chapter 30 of the Dallas City Code to (1) clarify and strengthen the City's noise regulations, (2) add regulations for automobile noise and vibrations, (3) regulate hours for construction activities; and, (4) create restrictions on the idling of commercial vehicles - Financing: No cost consideration to the City

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

The following individual addressed the city council regarding the item:

Pat Seay, 932 S. Montclair Ave.

Councilmember Finkelman moved to pass the ordinance amending Chapter 30.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Rasansky abstain; Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26022.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1790

Item 90: An ordinance amending in its entirety Chapter 17 of the Dallas City Code to adopt the Texas Food Establishment Rules published by the Texas Department of State Health Services, with local amendments; and to repeal obsolete City regulations relating to codeine preparations - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Mark Maguire, 3905 Circle Bluff Ct.
Tracey Evers, 2124 Larkspur Dr., Carrollton, TX

Councilmember Finkelman moved to pass the ordinance amending Chapter 17.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26023.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1791

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, and legal issues regarding creation of the Deep Ellum TIF District
- Legal issues regarding SB 245, the charitable solicitation amendment to the Texas Transportation Code

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, and legal issues regarding creation of the Deep Ellum TIF District
- Legal issues regarding SB 245, the charitable solicitation amendment to the Texas Transportation Code

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1792

Addendum addition 1: Authorize a contract for renovation and expansion of the South Dallas Cultural Center located at 3400 Fitzhugh - Harrison Quality Construction, lowest responsible bidder of five - \$1,739,625 - Financing: 2003 Bond Funds (\$1,465,939), Capital

Approved as part of the consent agenda.

JUNE 8, 2005

05-1793

Note: Addendum Item Nos. 2 and 3
must be considered collectively.

Dallas Museum of Art

- Addendum addition 2: *
- * Authorize **(1)** a contract for roof replacement at the Dallas Museum of Art located at 1717 North Harwood Street - Texas Roof Management, Inc., lowest responsible bidder of seven in the amount of \$1,155,954; and, **(2)** an increase in appropriations in the amount of \$899,954 in Equipment and Building Services' General Fund Budget - Total not to exceed \$1,155,954 - Financing: Contingency Reserve Funds (\$899,954), Capital Construction Funds (\$256,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1794

Note: Addendum Item Nos. 2 and 3

Dallas Museum of Art (Continued) must be considered collectively.

Addendum addition 3: * Authorize Supplemental Agreement No. 4 to the contract with Conley Design Group, Inc., for construction administration and inspection services for roof replacement at the Dallas Museum of Art located at 1717 North Harwood Street - \$75,952, from \$328,639 to \$404,591 - Financing: General Capital Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1795

Addendum addition 4: Authorize the purchase of **(1)** computer hardware from Dell Marketing L.P. through the Department of Information Resources contract in an amount not to exceed \$432,885; and, **(2)** hardware, software, training, managed services, installation, and support for a Computer Automated Dispatch system from the most advantageous proposer of six, Tritech Software Systems in an amount not to exceed \$5,192,370 - Total not to exceed \$5,625,255 - Financing: 2003 Urban Area Security Initiative II Grant Funds (\$2,167,364) and 2004 Urban Area Security Initiative Grant Funds (\$3,457,891)

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

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

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Miller, Rasansky abstain; Blaydes absent when vote taken; Salazar absent; Chaney absent on city business)

JUNE 8, 2005

05-1796

Addendum addition 5: An ordinance amending in its entirety Chapter 7 of the Dallas City Code to **(1)** define terms; **(2)** provide for city animal shelters; **(3)** provide procedures, requirements, and fees relating to the impoundment, quarantine, redemption, adoption, euthanasia, and sterilization of animals; **(4)** provide requirements, procedures, and fees for the vaccination of dogs, cats and ferrets; **(5)** provide requirements, procedures, and fees for the registration and microchipping of dogs and cats; **(6)** provide requirements on the care and treatment of animals, including prohibiting the transportation of animals in the open bed of a motor vehicle; **(7)** provide restrictions on selling and giving away animals; **(8)** provide requirements, procedures, and fees relating to dangerous dogs; **(9)** restrict ownership of prohibited animals in the city and provide a date by which prohibited animals must be removed from the city; **(10)** provide permitting requirements, procedures, fees, and defenses for owning regulated animals in the city; **(11)** provide a date by which a person holding a three-year dog or cat registration must comply with the annual registration program; **(12)** incorporate by reference certain state laws relating to animals; and **(13)** provide for enforcement of animal code violations, including establishing penalties for violations - Financing: No cost consideration to the City

Councilmembers Finkelman and Greyson requested that consent addendum addition item 5 be considered as an individual item. Mayor Miller stated that consent addendum addition item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Finkelman and Greyson's request.

Later in the meeting, consent addendum addition item 5 was brought for consideration.

Councilmember Finkelman moved to pass the ordinance amending Chapter 7 of the Dallas City Code.

Motion seconded by Councilmember Garcia and unanimously adopted. (Blaydes absent when vote taken; Salazar absent; Chaney absent on city business)

Assigned ORDINANCE NO. 26024.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1797

Addendum addition 6: A resolution expressing continued support of the private/public partnership with the Friends of the Dallas Public Library, Inc. for the renovation of the J. Erik Jonsson Central Library - Financing:
This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1798

Addendum addition 7: Authorize renewal of the contract with the African American Museum to provide a cultural awareness program for low- to moderate-income youth in the Southern Dallas area - \$50,000 - Financing: 2004-05 Community Development Grant Funds

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

Later in the meeting, consent addendum addition item 7 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Hill and unanimously adopted. (Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1799

Addendum addition 8: Authorize **(1)** the application for and acceptance of a Texas Forest Service Partnership Grant in the amount of \$100,000 for assistance in the establishment of a City Forester position within the Park and Recreation Department; and **(2)** the City's required local match in the amount of \$180,000 - \$280,000 - Financing: Current Funds (\$180,000) (subject to annual appropriations) and Texas Forest Service Partnership Grant Funds (\$100,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1800

Addendum addition 9: Authorize the implementation of improvements to the citywide residential recycling program - Not to exceed \$126,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1801

Addendum addition 10: Authorize **(1)** the exercise of the first twelve-month renewal option to the citywide residential recycling services contract with Community Waste Disposal, Inc. from October 1, 2005 through September 30, 2006, **(2)** a change in the contract terms as mutually agreed upon to collect recyclables in blue bags using a single stream method with added acceptable materials and apply public information moneys from the primary contract to the extended contract period - Not to exceed \$1,993,010 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1802

Addendum addition 11: Authorize **(1)** adoption of the preliminary FY 2005-06 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$40,709,338 for the following programs and estimated amounts: Community Development Block Grant (\$26,861,621), HOME Investment Partnerships Program (\$8,846,506), American Dream Down-Payment Initiative (\$359,401), Housing Opportunities for Persons with AIDS (\$3,867,000), and Emergency Shelter Grant (\$774,810); and the proposed FY 2004-05 Reprogramming Budget in the amount of \$1,040,880; **(2)** an amendment to the Citizen Participation Plan to modify the required minimum number of neighborhood public hearings during the Consolidated Plan Budget development from ten meetings to six meetings; and, **(3)** a public hearing to be held on August 10, 2005 to receive citizens' comments on the proposed use of funds and amendment to the Citizen Participation Plan - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Bret Holmes, 4515 W. Lawther Dr.
Artie Giles, 1450 Sleepy Hollow Dr.

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1803

Addendum addition 12: Authorize a one-month extension of the City Depository/City Treasurer's contract with John A. Wright and his affiliated banking institution, JPMorgan Chase Bank, N.A. (formerly Bank One, NA) to July 31, 2005 - Not to exceed \$175,005 - Financing: Current Funds (\$130,005) and Water Utilities Current Funds (\$45,000)

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

Deputy Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Griffith, Rasansky abstain; Salazar absent; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 8, 2005

05-1804

Addendum addition 13: A resolution appointing Thomas P. Perkins, Jr., as City Attorney of the City of Dallas, and authorizing the City Attorney's contract

Councilmember Thornton Reese moved to approve the appointment of Thomas P. Perkins, Jr., as City Attorney of the City of Dallas, and authorizing the City Attorney's contract.

Motion seconded by Councilmember Greyson.

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

Voting Yes:	[12]	Loza, Hill, Garcia, Oakley, Thornton Reese, Fantroy, Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill
Voting No:	[1]	Miller
Absent:	[1]	Salazar
Absent on city business:	[1]	Chaney

Mayor Miller declared the motion adopted.