

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 22, 2005

05-1900

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

PRESENT: [13] Miller, Hill, Garcia, Medrano, Thornton Reese, Chaney, Fantroy, Griffith,
Blaydes, Koop, Natinsky, Rasansky, Hunt
ABSENT: [2] Salazar absent on city business; Oakley absent

The meeting was called to order at 9:23 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 7:57 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 22, 2005

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 22, 2005

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1901

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: Roy Williams, 5881 Prestonview Blvd.
SUBJECT: No for Blackwood I, No for Blackwood II

SPEAKER: Al Lipscomb, 830 Clearwood Dr.
SUBJECT: Information

SPEAKER: Ronald L. Parker, 9126 Emberglow Ln.
SUBJECT: Workers compensation

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Erma Dodd, 2929 Kings Rd.
REPRESENTING: North Texas Community Development Association (NTCDA)
SUBJECT: Thank you from the NTCDA

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Claud Yeldell, 1824 S. Corinth St.
SUBJECT: House demolition

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

SPEAKER: Steven Meeks, 1700 Lakeview Dr.
SUBJECT: Lack of various services

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Racism with State Representative/KKK/Trinity River Project

SPEAKER: Jurline Hollins, 2932 Marjorie Ave.
SUBJECT: Ethics: Conflict of interest; Intimidation

SPEAKER: Terry Miller, 5104 Terry
SUBJECT: Dallas Council and God Unity or Fiscal windfall

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1902

Item 1: Approval of Minutes of the June 8, 2005 City Council Meeting.

Deputy Mayor Pro Tem Garcia moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1903

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-51 and addendum addition consent agenda items 1-28, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 32 and addendum addition item 16 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 12, 20, 22, 30, 39, 45, and 51 and addendum addition consent agenda items 7, 12, 13, 15, 17 and 18 be considered as individual items. Mayor Miller stated that consent agenda items 12, 20, 22, 30, 39, 45, and 51 and addendum addition consent agenda items, 7, 12, 13, 15, 17 and 18 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Miller requested that consent agenda items 17 and 18 be considered as individual items. Mayor Miller stated that consent agenda items 17 and 18 would be considered as individual items later in the meeting, there being no objection voiced to her request.

Deputy Mayor Pro Tem Garcia 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 Deputy Mayor Pro Tem Garcia's request.

Deputy Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda item 32 which was deleted, consent agenda items 12, 20, 22, 30, 35, 39, 45, and 51 and addendum addition items 7, 12, 13, 15, 17 and 18 which would be considered later in the meeting.

Motion seconded by Councilmember Griffith and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

Deputy Mayor Pro Tem Garcia moved to reconsider the consent agenda to delete addendum addition item 16 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Motion seconded by Councilmember Griffith and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-1903

Page 2

Deputy Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda item 32 and addendum addition item 16, which were deleted, consent agenda items 12, 20, 22, 30, 35, 39, 45, and 51 and addendum addition items 7, 12, 13, 15, 17 and 18 which would be considered later in the meeting.

Motion seconded by Councilmember Griffith and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

Later in the meeting, Councilmember Rasansky moved to reconsider the consent agenda to add addendum addition item 25 as an individual item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill, Thornton Reese absent when vote taken; Salazar absent on city business; Oakley absent)

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda item 32 and addendum addition 16 which were deleted, consent agenda items 12, 20, 22, 30, 35, 39, 45, and 51 and addendum addition items 7, 12, 13, 15, 17, 18 and 25 which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill, Thornton Reese absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1904

Item 2: Authorize a professional services contract with W Architecture and Landscape Architecture, LLC to provide surveying, schematic design and construction documents for improvements including a new picnic pavilion, foot bridge and creek stabilization at Lakewood Park located at 7000 Williamson Road - \$89,201 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1905

Item 3: Belt Line Road from Dallas North Tollway to SH 289 (Preston Road) Note: Item nos. 3 and 4 must be considered collectively.

- * Authorize (1) a professional services contract with Walter P. Moore and Associates, Inc. to provide preliminary engineering services for paving and storm drainage improvements on Belt Line Road from Dallas North Tollway to SH 289 (Preston Road), (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$103,580, and (3) an increase in appropriations in the amount of \$103,580 in the Capital Projects Reimbursement Fund - Total not to exceed \$129,475 - Financing: 2003 Bond Funds (\$25,895), and Texas Department of Transportation Funds (\$103,580)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1906

Item 4: Belt Line Road from Dallas North Tollway to SH 289 (Preston Road) Note: Item nos. 3 and 4 must be considered collectively.

- * Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation for design and construction of paving and storm drainage improvements on Belt Line Road from Dallas North Tollway to SH 289 (Preston Road) - \$11,436 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1907

Item 5: Authorize a contract for the construction of culvert improvements for Coombs Creek at Clarendon Drive - Jeske Construction Company, lowest responsible bidder of four - \$233,210 - Financing: 1995 Bond Funds (\$103,210), 2003 Bond Funds (\$130,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1908

Item 6: Authorize a contract for the reconstruction of street paving, water and wastewater main improvements on Blackwell Street from Greenville Avenue to Twin Hills Avenue - VAS Engineering Construction Company, lowest responsible bidder of five - \$142,087 - Financing: 2003 Bond Funds (\$134,327), Water Utilities Capital Improvement Funds (\$6,185), and Water Utilities Capital Construction Funds (\$1,575)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1909

Item 7: Authorize a contract for the reconstruction of alley paving and storm drainage improvements for the alley located between Elkrigde Drive and Ashbrook Road from Everglade Road to Enchanted Lane - Mezttec Contractors, Inc., lowest responsible bidder of four - \$119,463 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1910

Item 8: Authorize a contract for electrical improvements at the Central Wastewater Treatment Plant - Teksun Electrical Contractors, Inc., lowest responsible bidder of four - \$3,023,955 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1911

Item 9: Authorize a contract for the construction of the hydraulic improvements project for the High Service Pump Station at the Bachman Water Treatment Plant - Eagle Contracting, L.P., lowest responsible bidder of four - \$34,020,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1912

Item 10: Authorize Supplemental Agreement No. 15 to the contract with PSA-Dewberry Inc. to provide additional architectural services for upgrades to the Physical Evidence Laboratory at the Jack Evans Police Headquarters Facility - \$94,895, from \$6,088,793 to \$6,183,688 - Financing: 2000 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1913

Item 11: Authorize Supplemental Agreement No. 6 to the contract with Charles Gojer and Associates, Inc. to provide additional construction administration services for the reconstruction of blast fences No. 7 and No. 8 at Dallas Love Field - \$33,800, from \$407,230 to \$441,030 - Financing: Aviation Capital Construction Funds (\$8,450), Federal Aviation Administration Grant Funds (\$25,350)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1914

Item 12: Authorize (1) an increase in the contract with Andres Construction Services LLC for selective demolition, historic facade improvements and other public improvements for the redevelopment of 1500 Jackson Street (Interurban Building) to provide streetscape improvements in an amount not to exceed \$722,639, from \$5,129,431 to \$5,852,070, and (2) assignment to Barker-Nichols for construction management under the terms of the existing development agreement - \$722,639 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 12 be considered as an individual item. Mayor Miller stated that consent agenda item 12 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 12 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Mayor Miller stated that the motion died for a lack of a second, and that the floor was open for further debate.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1915

Item 13: Authorize Supplemental Agreement No. 1 to the professional services contract with APM & Associates, Inc. to include engineering design services for the replacement of water mains and/or rehabilitation of wastewater mains at various locations (list attached) - \$687,175, from \$1,267,100 to \$1,954,275 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1916

Item 14: Authorize Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. for preliminary design of the Phase IV expansion at the Southside Wastewater Treatment Plant - \$3,098,087, from \$739,112 to \$3,837,199 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1917

Item 15: Authorize a Multiple Use Agreement with the Texas Department of Transportation for the construction of paving, drainage, water, and wastewater improvements and the operation and maintenance of Linfield Road from Illinois Avenue to SH 310 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1918

Item 16: Authorize the rejection of bids for Fire Station No. 38 located at Bonnie View Road and Wilhurt Avenue and the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1919

Item 17: Authorize (1) sidewalk paving improvements on Holden Avenue from S. Beckley Avenue to Michigan Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on August 24, 2005, to receive citizens' comments - 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 22, 2005

05-1920

Item 18: Authorize (1) street paving, storm drainage, water and wastewater main improvements for Lucas Drive from Harry Hines Boulevard to Maple Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on August 24, 2005, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1921

Item 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 2 properties improved with single-family homes located near the intersection of Arturo and Lakeland Drives for the Ash Creek Drainage project - \$301,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1922

Item 20: Authorize a thirty-year lease agreement, with two five-year renewal options, of approximately 58,825 square feet of land, improved with an aircraft hangar, ramp and automobile parking with Cutter Aviation Dallas, Inc. at Dallas Executive Airport - Estimated Annual Revenue: \$57,080

Councilmember 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 Councilmember Rasansky's request.

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

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1923

Item 21: Authorize an environmental deed restriction prohibiting the use of groundwater for residential, agricultural, recreational, industrial or commercial purposes without the express written pre-approval of the State of Texas under portions of Love Field east of Reeves Street between Shorecrest Drive and Love Field Drive - Revenue: \$91,894

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1924

Item 22: An ordinance abandoning a sanitary sewer easement to Julius H. Coleman, the abutting owner, containing approximately 4,027 square feet of land located near the intersection of Greenville Avenue and Meadow Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

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

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

Councilmember 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.

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26025.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1925

Item 23: Authorize the release of non-tax City liens against 2 privately held vacant properties located at 511 N. Denley Drive and 427 N. Moore Street, in exchange for Texas Heavenly Homes, Ltd. providing an unsecured promissory note in the amount of the non-tax liens, estimated to be \$1,532 for the property at 511 N. Denley Drive and \$2,530 for the property at 427 N. Moore Street, paying all delinquent taxes, penalties and interest on the properties, and providing affordable housing on each property for low-income households in accordance with the City's Land Transfer Policy and Program Statement - Estimated revenue foregone: \$4,062

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1926

Item 24: Authorize the purchase of school supply packets for the Mayor's 2005 Back-to-School Fair from the only bidder - Educational Products, Inc. - Not to exceed \$116,050 - Financing: Gift and Donations Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1927

Item 25: Authorize (1) designation of The Dallas Morning News as the official newspaper of the City for a twelve-month period; and (2) a twelve-month service contract for the publishing of official notices and City advertising - The Dallas Morning News - Sole Source - Not to exceed \$697,850 - Financing: Current Funds (\$658,850), Water Utilities Current Funds (\$24,000), Aviation Current Funds (\$10,000), Convention and Event Services Current Funds (\$5,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1928

Item 26: Authorize a twenty-four-month price agreement for unleaded gasoline, and Texas low-emission diesel fuel, with the lowest responsible bidders of seven - Lisa Hare dba Clarksville Oil in the amount of \$8,793,780, PS Energy Group, Inc. in the amount of \$5,981,500 and Sun Coast Resources, Inc. in the amount of \$442,990 - Total not to exceed \$15,218,270 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1929

Item 27: Authorize the purchase of a replacement rescue boat with fire suppression capability to be used on Lake Ray Hubbard from Sea Ark Boats, Inc. - Sole Source - Not to exceed \$88,904 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1930

Item 28: Authorize a twelve-month service contract for basic general carpentry services with the lowest responsible bidder of four - Care Construction & Remodeling, Inc. - Not to exceed \$111,493 - Financing: 2002-03 Community Development Grant Reprogramming Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1931

Item 29: Authorize a forty-eight-month service contract for armed security guard services for the Dallas Public Library with the lowest responsible bidder of ten - Ruiz Protective Service, Inc. - Not to exceed \$2,792,850 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1932

Item 30: Authorize (1) a twenty-four-month price agreement for video broadcast equipment with Burst Communications, Inc. through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program in the amount of \$1,300,000; and, (2) the establishment of appropriations in an amount not to exceed \$1,300,000 in Public Educational and Governmental Access Funds - Total not to exceed \$1,300,000 - Financing: Public Educational and Governmental Access Funds

Councilmember Rasansky requested that consent agenda item 30 be considered as an individual item. Mayor Miller stated that consent agenda item 30 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 30 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1933

Item 31: Authorize a thirty-six-month price agreement for food and food supplements for animals at the Dallas Zoo with the lowest responsible bidders of five - Feeders Supply in the amount of \$239,694, Central Nebraska Packing, Inc. in the amount of \$186,930, Timberline in the amount of \$39,263, TNT Distributing in the amount of \$112,985, and Premium Nutritional Products in the amount of \$16,916 - Total not to exceed \$595,788 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1934

Item 32: Authorize a thirty-six-month service contract for litter removal on street medians and rights-of-way with the lowest responsible bidders of six - A Lift for Life Outreach Center, Inc. in the amount of \$472,500 and Urban Landscaping & Irrigation in the amount of \$119,040 - Total not to exceed \$591,540 - Financing: Current Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1935

Item 33: Authorize a thirty-six-month price agreement for sulfur dioxide for the removal of residual chlorine at the Central and Southside Wastewater Treatment Plants with the lowest responsible bidders of four - DPC Industries Company in the amount of \$950,400 and Specialized Response Solutions, L.P. in the amount of \$124,600 - Total not to exceed \$1,075,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1936

Item 34: An ordinance amending Chapters 51 and 51A of the Dallas City Code to codify the Turtle Creek Environmental Corridor Ordinance - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26026.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1937

Item 35: An ordinance correcting Ordinance Nos. 21319, 22202, 22705, 22726, 23772 and 25026 by providing a corrected property description and correcting Article 316 of Chapter 51P of the Dallas Development Code by providing a corrected subarea map - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia 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 Deputy Mayor Pro Tem Garcia's request.

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

Deputy Mayor Pro Tem Garcia moved to defer the item until the August 10, 2005 voting agenda meeting of the city council in order to correct the ordinance.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1938

Item 36: An ordinance correcting and recodifying Division 51A-7.1000, the West End Historic Sign District, correcting errors caused by the omission of amendments made by earlier ordinances from later ordinances, and correcting errors caused by Ordinance No. 22112 not being published in the Dallas Development Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26027.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1939

Item 37: An ordinance authorizing a correction to Ordinance No. 25955 for an Historic Overlay for the Kalita Humphrey's Theater on Turtle Creek Boulevard between Blackburn Street and Lemmon Avenue to correct the property description Z045-174 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26028.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1940

Item 38: An ordinance rescinding the current version of Chapter 52 of the Dallas City Code, Administrative Procedures for the Construction Codes, and adopting a new Chapter 52 of the Dallas City Code, Administrative Procedures for the Construction Codes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26029.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1941

Item 39: Cityplace Area TIF District

Note: Item nos. 39 and 40 must be considered collectively.

- * Authorize (1) a development agreement with Gables Realty Limited to provide funding for the design, professional services and construction of public improvements for the Gables At Cityplace West, a Mixed-Use High-Density project located at 3636 McKinney 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 \$450,000 in the Cityplace Area TIF District Fund - \$450,000 - 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 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 Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1942

Item 40: Cityplace Area TIF District

Note: Item nos. 39 and 40 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 the funds advanced pursuant to a development agreement between the City of Dallas and Gables Realty Limited in an amount not to exceed \$450,000 plus interest, for certain public improvements related to the development of the Gables At Cityplace West, a Mixed-Use High-Density project located at 3636 McKinney Avenue in Tax Increment Financing Reinvestment Zone Number Two, Cityplace Area TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1943

Item 41: Authorize an amendment to the By-Laws for the Tax Increment Financing Reinvestment Zone Number Seven (Sports Arena TIF District) to redefine a quorum as a majority of the directors currently appointed to the Board of Directors - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1944

Item 42: Authorize (1) the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period October 1, 2005 through September 30, 2006, and (2) execution of the grant agreement - Not to exceed \$874,200 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1945

Item 43: Authorize (1) the acceptance of Transitional Housing Grant Funds in the amount of \$250,598 from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for transitional housing for single homeless persons for the period October 1, 2005 through September 30, 2006, (2) a local match in an amount not to exceed \$15,866; and (3) execution of the grant agreement - Total not to exceed \$266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$250,598) and Current Funds (\$15,866) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1946

Item 44: Authorize (1) the application for and acceptance of Competitive Housing Opportunities for Persons with AIDS grant funds in the amount of \$773,839 from the U.S. Department of Housing and Urban Development (HUD), for the provision of a transitional homeless housing placement program for the three-year grant period designated by HUD, and (2) execution of the grant agreement - Not to exceed \$773,839 - Financing: Competitive Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1947

Item 45: An ordinance amending Chapter 16 of the Dallas City Code, Dallas Fire Code to (1) mirror proposed change to Building Code; (2) allow storage of open-flame cooking and heating devices on balconies; and, (3) modify requirements for fire lane and access roads - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 45 be considered as an individual item. Mayor Miller stated that consent agenda item 45 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 45 was brought up for consideration.

Councilmember Natinsky moved to pass the ordinance.

Motion seconded by Councilmember Fantroy.

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

Voting Yes:	[12]	Miller, Hill, Garcia, Medrano, Thornton Reese, Chaney, Fantroy, Griffith, Blaydes, Koop, Natinsky, Hunt
Voting No:	[1]	Rasansky
Absent on city business:	[1]	Salazar
Absent:	[1]	Oakley

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26030.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1948

Item 46: Authorize (1) a public hearing to be held on August 24, 2005 to receive citizens' comments on the proposed City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan; and, at the close of the public hearing, (2) consideration of approval of the City of Dallas FY 2005-06 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

June 22, 2005

05-1949

Item 47: Authorize the reconstruction on-site of three homes in accordance with the Replacement Housing Program Statement requirements for the property located at 323 N. Marsalis Avenue, 2622 Hatcher Street, and 2219 Harding Street - Not to exceed \$210,000 - Financing: 2004-05 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1950

Item 48: Authorize the issuance of tax-exempt financing by the Hudson Oaks Education Finance Corporation in an amount not to exceed \$4,200,000 for the benefit of Lakehill Preparatory School - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1951

Item 49: A resolution extending the decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program Rate Adjustment from June 30, 2005 to October 31, 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1952

Item 50: Authorize amendments to the eleven-year concession services contract with Horizon Amusement Management Group, LLC for the Family Aquatics Center at Thurgood Marshall Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1953

Item 51: Authorize Supplemental Agreement No. 4 for a 2-month extension to the License Agreement with the City of Inglewood, California for the continued operation of the parking management information system from May 1, 2005 to June 30, 2005 - \$387,000, from \$5,319,653 to \$5,706,653 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Miller stated that consent agenda item 51 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 51 was brought up for consideration.

Mayor Pro Tem Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1954

The following individual addressed the city council to speak on all agenda items before the zoning cases were considered:

Marvin Crenshaw, 5134 Malcolm X Blvd.

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 52-58, were presented for consideration.

Agenda items 55, 56, and 57 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 52:	Zoning Case Z034-175 (RB)	
Agenda item 53:	Zoning Case Z034-309 (RB)	
Agenda item 54:	Zoning Case Z045-128 (WE)	
Agenda item 55:	Zoning Case Z045-179 (RB)	[Considered individually]
Agenda item 56:	Zoning Case Z045-178 (DW)	[Considered individually]
Agenda item 57:	Zoning Case Z045-200 (WE)	[Considered individually]
Agenda item 58:	Zoning Case Z045-212 (MM)	

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.

Deputy Mayor Pro Tem 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 presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1955

Item 52: Zoning Case Z034-175 (RB)

Zoning Case Z034-175 (RB), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District on the northwest line of Stutz Avenue northeast of Forest Park Road and a resolution accepting deed restrictions volunteered by the applicant and an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.

(The city plan commission recommended approval subject to deed restrictions volunteered by the applicant and an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26031.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1956

Item 53: Zoning Case Z034-309 (RB)

Zoning Case Z034-309 (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 property bounded by Clarence Street, Harwood Street, Sanger Avenue, and Mansfield Street and a resolution accepting deed restrictions volunteered by the applicant.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26032.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1957

Item 54: Zoning Case Z045-128 (WE)

Zoning Case Z045-128 (WE), 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 southwest corner of Illinois Avenue and Salerno Street.

(The city plan commission recommended 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. 26033.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1958

Item 55: Zoning Case Z045-179 (RB)

The consent zoning docket, consisting of agenda items 52-58, were presented.

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

Later in the meeting, zoning docket item 55 was brought up for consideration.

A public hearing was called on zoning case Z045-179 (RB), an application for a CH Clustered Housing District on property zoned a CR Community Retail District located along the north line of Frankford Road, west of Hillcrest Road, and along the west alignment of Hillcrest Road, north of Frankford Road with consideration given to and an ordinance granting a TH-1(A) Townhouse District and a resolution accepting deed restrictions volunteered by the applicant and a resolution accepting the termination of existing deed restriction.

(The city plan commission recommended denial of a CH Clustered Housing District, and approval of a TH-1(A) Townhouse District, subject to deed restrictions volunteered by the applicant and approval of the termination of existing deed restrictions.

Theresa O'Donnell, director of development services, that in accordance with subparagraph (c)(2)(A) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission.

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

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

Lucie Bellew, 7328 Williamswood Dr.,
Don Ping, 17025 Planners Rd., Addison, TX
Bernard Maldonado, 6712 Summer Meadow

Councilmember Natinsky close the public hearing, accept the recommendation of the city plan commission and bring the ordinance and deed restrictions back at a later date.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1959

Item 56: Zoning Case Z045-187 (DW)

The consent zoning docket, consisting of agenda items 52-58, were presented.

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

Later in the meeting, zoning docket item 56 was brought up for consideration.

A public hearing was called on zoning case Z045-187 (DW), an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District uses plus a private recreation center, club, or area; a community service center; an adult day care; a child-care facility; and a transit passenger shelter and an ordinance granting the termination of Specific Use Permit No. 442 for a community service center, and an ordinance granting the termination of Specific Use Permit No. 694 for a bus transfer shelter, on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, located on the east corner of Latimer Street and Romine Avenue with consideration given to a Specific Use Permit for a private recreation center, club, or area; a community service center; an adult day care; and a child-care facility.

(The city plan commission recommended approval of a Planned Development District for R-5 (A) Single Family District uses plus a private recreation center, club, or area; a community service center; an adult day care; a child-care facility; subject to a development plan and conditions and a transit passenger shelter and approval of the termination of Specific Use Permit No. 442 for a community service center, and approval of the termination of Specific Use Permit No. 694 for a bus transfer shelter.)

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

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

William Cothrum, 900 Jackson St., representing the applicant

The following individual addressed the city council regarding zoning case Z045-187 (DW):

Marvin Crenshaw, 55134 Malcolm X Blvd.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-1959

Page 2

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

“Include for a permanent time period” and pass the ordinance.

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

Assigned ORDINANCE NOS. 26034, 26035 AND 26036.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1960

Item 57: Zoning Case Z045-200 (WE)

The consent zoning docket, consisting of agenda items 52-58, were presented.

Councilmember Chaney requested that consent zoning docket item 57 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 57 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, zoning docket item 57 was brought up for consideration.

A public hearing was called on zoning case Z045-200 (WE), a City Plan Commission authorized hearing to determine proper zoning on property zoned an NC Neighborhood Commercial Subdistrict, a CCE Community Commercial Enhanced Subdistrict and an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, located on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway with consideration given to and an ordinance granting a Planned Development District for mixed uses.

(The city plan commission recommended approval, of a Planned Development District for mixed uses, subject to a conceptual plan and conditions.)

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 Z045-200 (WE):

Don Okonkwo-AshaKaha-Sneed, 119 Palm Dr., Lancaster

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

1. Changing the setbacks, height, lot coverage, and floor area ratio.
2. Requiring parking screening adjacent to residential subdistricts.
3. Requiring general compliance with Article X landscape requirements.
4. Deleting the requirements for a six-foot-high screening fence where an alley is adjacent to residential uses, and pass the ordinance.

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

Assigned ORDINANCE NO. 26037.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1961

Item 58: Zoning Case Z045-212 (MM)

Zoning Case Z045-212 (MM), an application for and an ordinance granting a Specific Use Permit for a General Merchandise or Food Store greater than 100,000 sq. feet on property zoned a CR Community Retail District located southeast of the intersection of Northwest Highway and Skillman Street, west of Abrams Road and north of Fisher Road.

(The city plan commission recommended approval, for a permanent time period, subject to a site plan and conditions.)

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26038.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1962

Item 59: Public Hearing – Zoning Case Z045-141 (WE)

A public hearing was called on zoning case Z045-141 (WE), an application for a Planned Development Subdistrict for MF-3 Multiple-family Subdistrict uses on property zoned an MF-2 Multiple-family Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west line of Cole Avenue, between Hester Avenue and Monticello Avenue.

(The city plan commission recommended denial.)

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

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

Joe Williams, 4804 Abbott Ave., Highland Park
Gail Northlake, 3340 Cambrick
Chuck Gooldia, 4719 Cole Ave.
Lisa Dawson, 4802 Abbott Ave., Highland Park
Laura Alder, 4719 Cole Ave.
Barry Gray, 4807 Abbot Ave., Highland Park
Claude Rupert, 3505 Gilliam Ave.
Christy Kinsler, 4719 Cole Ave.
Carol Nash, 4000 Buena Vista St.
Lee Durso, 4071 Buena Vista St.
William Marshall, 4111 Buena Vista St.
Ewing S. Mosely, 4719 Cole Ave.
Anna Marthens, 4914 Abbott Ave., Highland Park
Laura Elcock, 4820 Abbott Ave., Highland Park

Councilmember Hunt moved to close the public hearing and accept the recommendation of the city plan commission.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1963

Item 60: Public Hearing – Zoning Case Z045-198 (RB)

A public hearing was called on zoning case Z045-198 (RB), an application for and an ordinance granting a TH-3(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the north line of Ferguson Road, east of Lakeland Drive and on the east line of Lakeland Drive, north of Ferguson Road and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval of a TH-3(A) Townhouse District, subject to deed restrictions volunteered by the applicant.)

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

Susan Kilmer, 2264 Springhill
Bob Thornton, 2310 Springhill

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

Bobbi Bilnoski, 5322 Monticello Ave.
Charles McGree, 3350 Blackburn, representing the applicant

Councilmember Griffith moved to close the public hearing, accept the recommendation of the city plan commission and bring the ordinance and deed restrictions back at a later date.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1964

Item 61: Public Hearing – Zoning Case Z045-211 (JP)

A public hearing was called on zoning case Z045-211 (JP), an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-10 (A) Single Family District on the northeast corner of St. Augustine Road and I-20.

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

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

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

Jonathan Vinson, 901 Main St., representing the applicant

Councilmember Fantroy moved to close the public hearing, accept the recommendation of the city plan commission, subject to deed restrictions volunteered by the applicant, with the ordinance and deed restrictions to return at a later date.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1965

Item 62: Public Hearing – Zoning Case Z045-213 (RB)

A public hearing was called on zoning case Z045-213 (RB), an application for and an ordinance granting a Planned Development Subdistrict for certain HC Heavy Commercial Subdistrict Uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property on the west corner of Maple-Routh Connection and Thomas Avenue.

(The city plan commission recommended approval, subject to a development 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:

Roger Albright, representing the applicant

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

“Maximum lot coverage is 49 percent” and pass the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

Assigned ORDINANCE NO. 26039.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1966

Item 63: Public Hearing – Zoning Case Z045-145 (WE)

A public hearing was called on 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. This item was considered by the City Council at a public hearing on June 8, 2005, and was taken under advisement until June 22, 2005, with the public hearing open.)

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.

Deputy Mayor Pro Tem Garcia moved to close the public hearing, accept the recommendation of the city plan commission, subject to a revised development plan and pass the ordinance.

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

Assigned ORDINANCE NO. 26040.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1967

Item 64: Public Hearing – Zoning Case Z045-182 (WE)

A public hearing was called on 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. This item was considered by the City Council at public hearings on May 11 and June 8, 2005, and was taken under advisement until June 22, 2005, with the public hearing open.)

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.

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

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

Assigned ORDINANCE NO. 26041.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1968

Item 65: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public hearing was called on consideration of an amendment to Chapter 51P of the Dallas City Code, as amended, by codifying the regulations for Planned Development District Nos. 401, and 402, 404 through 442, 444 through 455, 457 through 461, 463 through 474, 476 through 479, and 481 through 516 and an ordinance granting the amendment..

(The city plan commission recommended approval.)

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

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

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

Assigned ORDINANCE NO. 26042.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1969

Item 66: Public Hearing - FLOODPLAIN APPLICATION

A public hearing regarding the application for a fill permit and removal of the floodplain (FP) prefix from 1.84 acres of land, zoned MF-2(A), currently in the 100-year floodplain of Estes Branch, a tributary of Prairie Creek, located on the east side of the 2300 Block of St. Augustine Drive, south of Bluffcreek Drive and north of Bruton Road, Fill Permit 05-06 - Financing: No cost consideration to the City.

The following individual addressed the city council regarding the floodplain:

Mike Coker, 6350 LBJ Frwy., representing the applicant

Councilmember Chaney moved to close the public hearing.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill, Thornton Reese absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1970

Private Sale of Unimproved Properties

Note: Item Nos. 67 and 68 must be considered collectively.

- Item 67: * A public hearing 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 - Financing: No cost consideration to the City
- Item 68. * Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code by quitclaim deed of 2 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to a qualified non-profit organization - Revenue: \$2,000

The following individuals addressed the city council regarding the private sale:

Jurline Hollins, 2832 Majorie Ave.
Maria Garcia, representing St. Phillips

Councilmember Chaney moved to close the public hearing and authorize the private sale.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1971

Deep Ellum TIF District

Note: Item Nos. 69 and 70 must be considered collectively.

Item 69: * A public hearing to receive citizens' comments concerning 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) - Financing: No cost consideration to the City

Item 70: * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Twelve to be known as the Deep Ellum 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

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 Deep Ellum TIF District:

Barry Anino, 2619 Colby, representing Deep Ellum Association

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain; Hill, Thornton Reese absent when vote taken; Salazar absent on city business; Oakley absent)

Assigned ORDINANCE NO. 26043.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1972

Urban Land Bank Demonstration Program

Note: Item Nos. 71 and 72
be considered collectively.

- Item 71: * A public hearing to receive citizens' comments on a proposed amendment to the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City
- Item 72: * Authorize approval of a proposed amendment to the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

No one addressed the city council regarding the proposed amendment.

Councilmember Fantroy moved to close the public hearing and authorize the proposed amendment.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1973

05-2014

05-2015

Item 73: 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 June 22, 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 Griffith moved to appoint Judy H. Jacks, to the Reinvestment Zone Nine Board Vickery Meadow.

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

Deputy Mayor Pro Tem Garcia moved to appoint all the nominees to "individual" positions in the report who meet all qualifications for service to the boards and commission of the city for the terms ending August 31, 2005.

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

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

05-2014 CPC CITY PLAN AND ZONING COMMISSION

05-2015 RZ9 REINVESTMENT ZONE NINE BOARD (VICKERY MEADOW)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1974

Item 74: Authorize hardship relief for property located at 3207/09 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1975

Item 75: A resolution consenting to the City of Irving's grant of a Freeport Exemption for DPF Trade Center I, L.P. to locate a regional distribution center at its new warehouse/distribution facility at Dallas/Fort Worth International Airport - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to approve the resolution.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1976

Item 76: 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 Blaydes moved to deny the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1977

Item 77: 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 Blaydes moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1978

Closed Session

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

- City of Dallas v. Beazer Homes Texas, L.P., Trial No. 04-12777-G
- Derrick D. Grant v. Ray Cunningham, et al.; Civil No. 3:04-CV-0458-M
- Joy Everett & Patrick Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K
- Legal issues relating to James, et al. v. City of Dallas, Case No. 3:98-CV-00436 (N.D. Tex.) and Bell et al. v. City of Dallas, Consol. Dist. Ct. Case No. 3:95-CV-00383 (N.D. Tex.) and Appellate Case No. 4-10818 (5th Cir.)
- Legal issues regarding SB 245, the charitable solicitation amendment to the Texas Transportation Code
- Legal issues regarding the audits of the United Health Care and Humana health benefits administration contracts

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.)

- City of Dallas v. Beazer Homes Texas, L.P., Trial No. 04-12777-G
- Derrick D. Grant v. Ray Cunningham, et al.; Civil No. 3:04-CV-0458-M
- Joy Everett & Patrick Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K
- Legal issues relating to James, et al. v. City of Dallas, Case No. 3:98-CV-00436 (N.D. Tex.) and Bell et al. v. City of Dallas, Consol. Dist. Ct. Case No. 3:95-CV-00383 (N.D. Tex.) and Appellate Case No. 4-10818 (5th Cir.)
- 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 22, 2005

05-1979

Addendum addition 1. Authorize (1) a contract for the construction of paving, storm drainage, landscaping and irrigation improvements on Merrifield Road from Grady Niblo Road to Kiest Boulevard with Tiseo Paving Company, lowest responsible bidder of three, in the amount of \$2,437,365, (2) the receipt and deposit of funds from Dallas Housing Finance Corporation in an amount not to exceed \$200,000, and Dallas County in an amount not to exceed \$1,218,863, and (3) an increase in appropriations in the amount of \$1,418,863 in the Capital Projects Reimbursement Fund - Total not to exceed \$2,437,365 - Financing: 2003 Bond Funds (\$169,785), Deerfield Housing Funds (\$848,717), Capital Projects Reimbursement Funds (\$1,418,863)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1980

Addendum addition 2: Authorize (1) a contract for the construction of a tower crane and personnel/material hoist at 1524/26 Main Street with Centex Construction, LLC, only bidder, in an amount not to exceed \$585,000, (2) a contract for foundation and vault construction at 1524/26 Main Street with Centex Construction, LLC, lowest responsible bidder of two, in an amount not to exceed \$761,477, (3) a contract for exterior restoration at 1530 Main Street and shell construction at 1524 Main Street with Centex Construction, LLC, only bidder, in an amount not to exceed \$6,510,000, (4) assignment of the contract to Dunhill 1530 Main LP for construction management, (5) the receipt and deposit of funds from TIF Hotel, Inc. in an amount not to exceed \$3,607,404, (6) an increase in appropriations in the amount of \$3,607,404 in the City Center TIF District Fund, and (7) payment to TIF Hotel, Inc. in an amount not to exceed \$1,750,000 for design, reimbursables and construction management - Total not to exceed \$9,606,477 - Financing: City Center TIF District Funds (\$5,999,073) and Private Funds (\$3,607,404)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1981

Addendum addition 3: Authorize (1) a contract for environmental abatement and selective interior demolition at Lake Cliff Tower located at 329 E. Colorado Blvd. with CST Environmental, Inc., lowest responsible bidder of eight, in an amount not to exceed \$648,800, and (2) assignment of the contract to Top Dog - Oak Cliff, LP for construction management - Total not to exceed \$648,800 - Financing: Oak Cliff TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1982

Addendum addition 4: Authorize the rejection of bids for Phase 2 of the demolition, abatement and preservation of Lake Cliff Tower located at 329 E. Colorado Boulevard, and the readvertisement for new bids -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1983

Addendum addition 5: Authorize an increase in the contract with Harrison Quality Construction, Inc. to provide heating, ventilation and air conditioning modifications and extend the contract until August 2005 for the Lancaster Kiest Branch Library - \$43,251, from \$2,860,615 to \$2,903,866 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1984

Addendum addition 6: Authorize an increase in the contract with Austin Bridge & Road, LP for additional resurfacing improvements for the 2005 Asphaltic Concrete Street Resurfacing Group 2 (list attached) - \$943,457, from \$7,274,284 to \$8,217,741 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1985

Addendum addition 7: Authorize Supplemental Agreement No. 1 to the contract with CamargoCopeland Architects, LLP to provide final programming and conceptual design services for the Homeless Assistance Center located near the intersection of St. Louis Street and St. Paul Street - \$229,448, from \$25,000 to \$254,448 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that addendum addition item 7 be considered as an individual item. Mayor Miller stated that addendum addition item 7 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, addendum addition item 7 was brought up for consideration.

Councilmember Medrano moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Blaydes voting "No". (Hill absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1986

Addendum addition 8: Authorize an increase in the contract with JRJ Paving, LP for additional resurfacing improvements for the 2005 Asphaltic Concrete Street Resurfacing Group 1 - \$840,541, from \$7,326,072 to \$8,166,613 - Financing: 2003 Bond Funds (\$198,490), Current Funds (\$642,051)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1987

Addendum addition 9: Authorize an Advance Funding Agreement and joint contracts with the Texas Department of Transportation for water and wastewater main improvements and a stormwater diversion sluice gate housing replacement in Hampton Road and Inwood Road from Angelina Drive to Harry Hines Boulevard - \$3,394,443 - Financing: Water Utilities Capital Improvement Funds (\$3,143,676), Water Utilities Capital Construction Funds (\$115,767), 1995 Bond Funds (\$135,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1988

Addendum addition 10: Authorize acquisition of 4 parcels of land, including the exercise of the right of eminent domain, if such becomes necessary, containing a total of approximately 63,056 square feet of land located near the intersection of Main and Harwood Streets for the Main Street Garden park - \$3,745,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1989

Addendum addition 11: Authorize acquisition of approximately 5,945 square feet of land from The Trust for Public Land and a purchase and sale agreement providing for the potential acquisition of approximately 47,563 square feet of land located near the intersection of Live Oak and St. Paul Streets - \$500,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1990

Addendum addition 12: A resolution declaring approximately 87,367 square feet of City-owned land, improved with the Southern Skates Skating Rink, unwanted and unneeded located near the intersection of Ledbetter Drive and Sunnyvale Street and authorizing its advertisement for sale by sealed bid with a minimum bid of \$980,000 - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition item 12 be considered as an individual item. Mayor Miller stated that addendum addition item 12 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, addendum addition item 12 was brought up for consideration.

Councilmember Chaney moved to defer the item until the August 24, 2005 voting agenda meeting of the city council.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

After discussion, Councilmember Chaney requested that his motion be withdrawn. Councilmember Thornton Reese withdrew her second to the motion.

Mayor Pro Tem Hill moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

Voting Yes:	[12]	Miller, Hill, Garcia, Medrano, Thornton Reese, Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt
Voting No:	[1]	Chaney
Absent on city business:	[1]	Salazar
Absent:	[1]	Oakley

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1991

Addendum addition 13: An ordinance abandoning certain air rights over approximately 496 square feet of Olive Street (formerly Wichita Street) located near its intersection with North Houston Street to Anland Block C, L.P., the abutting owner, and authorizing the quitclaim - Revenue: \$22,221 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that addendum addition item 13 be considered as an individual item. Mayor Miller stated that addendum addition item 13 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, addendum addition item 13 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 26044.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1992

Addendum addition 14: An ordinance abandoning easements and a portion of Turtle Creek Plaza to LT Turtle Creek Development, Ltd., the abutting owner, containing approximately 33,805 square feet of land located near the intersection of Bowen Street and Cedar Springs Road, and authorizing the quitclaim - Revenue: \$2,028,525 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26045.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1993

Addendum addition 15: Authorize a sixty-month service contract for workers' compensation and third party liability claims administration and related cost containment services for the period of October 1, 2005 through September 30, 2011 with the most advantageous proposer of fourteen - Tristar Risk Management - Not to exceed \$12,272,901 - Financing: Workers' Compensation Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that addendum addition item 15 be considered as an individual item. Mayor Miller stated that addendum addition item 15 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, addendum addition item 15 was brought up for consideration.

The following individuals addressed the city council regarding the contract:

Jack F. Borden, P.O. Box 191913
Arthur Hollingworth, 1 Coventry Court, representing Hammerman & Gainer
Harden Wedeman, 8718 Canyon Dr., representing Hammerman & Gainer
Jeff Ward, no address given, representing Ward North America
Nazir Khimji, no address given, representing Ward North America
Darryl Killen, 2304 Megan Way, representing Hammerman & Gainer
Pat Mulcahy, 7812 Vineyard Ct.
Ken Perilli, 4238 Arden Way, San Diego, CA, representing Ward North America

Councilmember Rasansky moved to defer the item until the August 3, 2005 briefing agenda meeting of the city council.

Motion seconded by Councilmember Thornton Reese.

Deputy Mayor Pro Tem Garcia moved to substitute for Councilmember Rasansky's motion a motion to approve the item.

Motion seconded by Councilmember Chaney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-1993

Page 2

After discussion, Mayor Miller called the vote on Deputy Mayor Pro Tem Garcia's substitute motion:

Voting Yes:	[3]	Garcia, Chaney, Hunt
Voting No:	[10]	Miller, Hill, Medrano, Thornton Reese, Chaney, Fantroy, Griffith, Blaydes, Natinsky, Rasansky
Absent when vote taken:	[1]	Koop
Absent on city business	[1]	Salazar
Absent:	[1]	Oakley

Mayor Miller declared the substitute motion failed.

Mayor Miller called the vote on Councilmember Rasansky's original motion to postpone the item until the August 3, 2005 briefing meeting of the city council.

Mayor Miller declared the motion to postpone the item until the August 3, 2005 briefing meeting of the city council adopted. (Koop absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1994

Addendum addition 16: Authorize a twenty-year service contract for a comprehensive outdoor sign kiosk advertising program with the most advantageous proposer of five - Quorum Media Group, L.P. - Estimated Net Revenue: \$17,970,000

The city secretary announced that the city manager had deleted addendum addition 16 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1995

Addendum addition 17: 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 \$64,700; and, (2) software licenses, training and professional support services for a citywide staff performance based tracking system from Cognos Corporation through the Catalog Information Systems Vendor contract in an amount not to exceed \$307,410 - Total not to exceed \$372,110 - Financing: Current Funds (\$170,000) and 2003 Equipment Acquisition Contractual Obligation Notes (\$202,110)

Mayor Miller and Councilmember Rasansky requested that addendum addition item 17 be considered as an individual item. Mayor Miller stated that addendum addition item 17 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Miller and Councilmember Rasansky's request.

Later in the meeting, addendum addition item 17 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 Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1996

Addendum addition 18: Authorize a twenty-four-month price agreement for (1) General Electric lamps with W.W. Grainger, Inc. through the Western States Contracting Alliance contract in the amount of \$236,365; and, (2) Phillips and Sylvania lamps with the lowest responsible bidders of two - Voss Lighting Co. dba Voss Lighting in the amount of \$110,440 and Bulbman, Inc. in the amount of \$23,760 - Total not exceed \$370,565 - Financing: Current Funds (\$151,510), Convention and Event Services Current Funds (\$126,760) and Water Utilities Current Funds (\$92,295)

Mayor Miller and Councilmember Rasansky requested that addendum addition item 18 be considered as an individual item. Mayor Miller stated that addendum addition item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Miller and Councilmember Rasansky's request.

Later in the meeting, addendum addition item 18 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 Fantroy moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller, Rasansky abstain; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1997

Addendum addition 19: Authorize the purchase of a fire station alert system from the most advantageous proposer of two - Locution Systems, Inc. - Not to exceed \$547,170 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1998

Addendum addition 20: Authorize the purchase of compact mobile library shelving units for the fifth floor of the J. Erik Jonsson Central Library from Southwest Solutions Group, Inc. through participation in the Texas State contract - Not to exceed \$388,515 - Financing: Library Gifts and Donations

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-1999

Addendum addition 21: Authorize settlement of the lawsuits styled (1) Erubiel Cruz et al. v. City of Dallas, et al.; Civil Action No. 3:02-CV-0649-K, (2) Yvonne Gwyn v. City of Dallas, et al.; Civil Action No. 3:02-CV-2121-K, (3) Betty Jenkins v. City of Dallas, et al.; Civil Action No. 3:03-CV-0810-K, (4) Betty Jenkins v. Jack Gouge, Civil Action No. 3:04-CV-2245-K - Total not to exceed \$2,095,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2000

Addendum addition 22: An ordinance adopting Dallas/Fort Worth International Airport Board Resolution No. 2005-05-187, to amend Section 2-5 of Chapter 2 of the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board to clarify the authorization required by persons and vehicles in places designated "Restricted Area", and Section 2-6 of Chapter 2 of the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board to clarify language permitting the enforcement of traffic regulations specific to the Air Operation Area - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26046.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2001

Addendum addition 23: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Webb & Webb for legal services and representation of the City on water rights matters pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - \$200,000, from \$200,000 to \$400,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2002

Addendum addition 24: Authorize back payment of compensation for the period of October 31, 1999 to August 14, 2001 to (1) former Executive Assistant Chief of Police Robert Jackson in the amount of \$127,739 and (2) former Deputy Chief of Police Willie Taylor in the amount of \$31,448 under the lawsuit styled Robert Jackson, John Holt, Marlin Price, and Willie Taylor v. City of Dallas, Texas, City Manager Teodoro Benavides, Assistant City Manager Charles Daniels and Chief of Police Terrell Bolton, Civil Action Number 3:00-CV-588-H, consolidated with Jill Muncy, Pamela Walt, Douglas Kowalski, and Donald Whitten v. City of Dallas, City Manager Teodoro Benavides, Assistant City Manager Charles Daniels and Chief of Police Terrell Bolton, Civil Action Number 3:99-CV-2960-P, in the United States District Court for the Northern District of Texas, Dallas Division, Appeal Number 04-10506 in the United States Court of Appeals for the Fifth Circuit - Total not to exceed \$159,187 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2003

Addendum addition 25: 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 subject to a development plan, landscape plan and conditions - Z034-296 - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition item 25 be considered as an individual item. Mayor Miller stated that addendum addition item 25 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, addendum addition item 25 was brought up for consideration.

Councilmember Rasansky moved to approve the item with the following changes to the vehicle barrier on the eastern end of the parking lot in Tract 2:

Add the following to the ordinance:

1. Except for vehicles used by TXU or a subsequent owner of Tract 2, no vehicular access is permitted between the parking area on the eastern end of Tract 2 and the remainder of the property; a bollard and chain vehicle barrier must make this area inaccessible from the remainder of the property as shown on the landscape plan.
2. Delete the last two sentences in paragraph (k) "Gates for a private school or church," because those sentences referred to an eastern gate which is no longer permitted in this PD.

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

Assigned ORDINANCE NO. 26047.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2004

Addendum addition 26: An ordinance authorizing a correction to Ordinance No. 25804 for a Planned Development District for Single Family uses south of Grady Niblo Road, west of Kiwanis Road to correct Section 51P 701.111(d) Landscaping and Tree Mitigation to allow for requirements mandated in the deed restrictions previously accepted by the City Council on November 10, 2004 - Z034-273 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26048.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2005

Addendum addition 27: Authorize a secured one percent interest forgivable loan with Central Dallas Community Development Corporation to acquire property located at 5414 Bexar Street as part of the Neighborhood Investment Program Bexar Street Redevelopment Project for use as a child enrichment center which will create two full-time jobs - Not to exceed \$40,000 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2006

Addendum addition 28: Authorize (1) a public hearing to be held on August 10, 2005 to receive citizens' comments concerning the renewal of the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by an 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 a resolution renewing the Uptown Public Improvement District for the purpose of providing supplemental public services, to be funded by an assessment for each property owner of record on real property and real property improvements in the District; and providing an effective date; and (3) approval of the Uptown Public Improvement District Service Plan for 2006-2012 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2007

Addendum addition 29: An ordinance abandoning Mayo Street to the Dallas Independent School District, the abutting owner, containing approximately 17,802 square feet of land located between Washington Avenue and Caddo Street, and authorizing the quitclaim - Revenue: \$151,317 plus the \$20 ordinance publication fee

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

Councilmember Fantroy moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Blaydes abstain; Salazar absent on city business; Oakley absent)

Assigned ORDINANCE NO. 26049.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2008

Addendum addition 30: An ordinance abandoning a portion of Metropolitan Avenue and a portion of an alley to the Dallas Independent School District, the abutting owner, containing approximately 7,077 square feet of land located near their intersection with Lamar Street, and authorizing the quitclaim - Revenue: \$15,313 plus the \$20 ordinance publication fee

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 Chaney moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26050.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2009

Addendum addition 31: Authorize hardship relief for property located at 2750 West Northwest Highway No. 200 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 Blaydes moved to deny the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Rasansky absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2010

Addendum addition 32: Authorize a modification to the loan terms of the \$4,000,000 Section 108 loan to 1122 Jackson Street Ltd originally made for the rehabilitation of the Santa Fe Lofts II to allow for (1) subordination to a new condo conversion loan; (2) release of the deed restrictions after a pay-down of \$1,600,000; and, (3) an accelerated pay-off in full of the remainder of the balance of the Section 108 loan - Financing: No cost consideration to the City

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Rasansky absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2011

Addendum addition 33: Authorize an amendment to the 2005 City Council Calendar to revise and establish certain City Council Committees and establish meeting times to be effective August 1, 2005 - Financing: No cost consideration to the City

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Griffith and unanimously adopted. (Rasansky absent when vote taken; Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2012

Addendum addition 34: Authorize the City Manager to negotiate definitive documents in accordance with the term sheet with Forest City for the development of the Mercantile Block, Continental Building, Atmos Complex, and the Main Street Gardens park - Financing: No cost consideration to the City

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

Councilmember Hunt moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Koop abstain, Salazar absent on city business; Oakley absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 22, 2005

05-2013

Addendum addition 35: Authorize a three-fiscal-year settlement agreement for full payment of Emergency 9-1-1 Phase I and Phase II location implementation, maintenance fees, and release of further obligations by the City for future payment - Cingular Wireless, Inc. - \$2,999,878 - Financing: Current Funds (subject to annual appropriations)

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 22, 2005

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS