

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2005

05-2410

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

PRESENT: [15] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney,
Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt

ABSENT: [0]

The meeting was called to order at 9:25 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 8:06 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2005

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2005

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2411

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: Ricky James Anderson, 901 Ervay St.
SUBJECT: Being homeless in Dallas

SPEAKER: Alan Propper, 4845 Swiss Ave.
SUBJECT: Accessing the sage of the animal shelter

SPEAKER: Thelma Youngblood, 2406 Illinois Ave.
SUBJECT: State of the City government

SPEAKER: Teddy Hawkins, 2608 Rochester
SUBJECT: Agenda items 1 thru 106 and Addendum items 1 thru 17

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Lula Mae Thompson, 819 Westport
SUBJECT: Houses, Homelessness, Tax

SPEAKER: Frank Ward, P.O. Box 50694
REPRESENTING: Community at Large
SUBJECT: Jerry, Dick, Leo, Hank, Gabe, Charles, Eddie, Royce, Laura, Thomas, Vincent

SPEAKER: Cindy Young, 3130 Kingbridge Crossing
REPRESENTING: Straight Talk from the Hood
SUBJECT: Straight Talk

SPEAKER: Sydney Kay, 5718 Harvest Hill
SUBJECT: Homeless

SPEAKER: Ben Johnson, (homeless)
REPRESENTING: The Homeless
SUBJECT: Homeless

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-2411

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

SPEAKER: Evered Hope, 6839 Kennison Dr.

SUBJECT: Accountability

SPEAKER: William Hopkins, 2011 Leath St.

SUBJECT: Corruption: Mayor of Dallas, Heaven 97AM, DHA Parkland

SPEAKER: Carolyn Thompson, 819 Westport

SUBJECT: Homelessness

SPEAKER: Jewel Floyd, 3815 Myrtle St.

SUBJECT: Councilmember over East Dallas

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2412

Item 1: Approval of Minutes of the August 10, 2005 City Council Meeting.

Councilmember Oakley moved to approve the minutes.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2413

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-71 and addendum addition consent agenda items 1-2, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 68 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 2, 3, 26, 36, 37, 39, 41, 44 and 53 and addendum additions 1 and 2 be considered as individual items. Mayor Miller stated that consent agenda items 2, 3, 26, 36, 37, 39, 41, 44, and 53 and addendum addition items 1 and 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Griffith requested that consent agenda items 53, 54 and 55 be considered as individual items. Mayor Miller stated that consent agenda items 53, 54 and 55 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Griffith's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 68 which was deleted, consent agenda items 2, 3, 26, 36, 37, 39, 41, 44, 53, 54, 55 and addendum additions 1, and 2 which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Hill, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2414

Item 2: Authorize a professional services contract with Carter & Burgess, Inc., for the design of the Tawakoni Balancing Reservoir raw water transmission main to the East Side Water Treatment Plant - \$8,611,000 - Financing: Water Utilities Capital Improvement Funds

Councilmember Rasansky requested that consent agenda item 2 be considered as an individual item. Mayor Miller stated that consent agenda item 2 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 2 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2415

Item 3: Authorize a contract for roof replacement and asbestos abatement at the Science Place II Complex located at 1620 1st Avenue - Castro Roofing of Texas, L.P., lowest responsible bidder of two - \$156,000 - Financing: Capital Construction Funds

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2416

Item 4: Authorize a contract for the reconstruction of alley paving and storm drainage improvements for Alley Group 03-2013 - Meztec Contractors, Inc., lowest responsible bidder of six - \$257,432 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2417

Item 5: Authorize a contract for street paving, storm drainage, water and wastewater main improvements, and street resurfacing for Street Group 03-605 - Camino Construction, L.P., lowest responsible bidder of two - \$1,806,559 - Financing: 2003-04 Community Development Grant Reprogramming Funds (\$1,049,972), Water Utilities Capital Improvement Funds (\$739,887), and Water Utilities Capital Construction Funds (\$16,700)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2418

Item 6: Authorize (1) a contract for the construction of the baggage claim renovation at Dallas Love Field with Satterfield & Pontikes Construction, Inc., lowest responsible bidder of four, in an amount not to exceed \$8,233,440, and (2) the establishment of appropriations in an amount not to exceed \$11,280,972 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Total not to exceed \$8,233,440 - Financing: Aviation Capital Construction Funds (\$2,058,360), Federal Aviation Administration Airport Improvement Grant Funds (\$6,175,080)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2419

Item 7: Authorize a contract for the construction of a new raw water pump station at Lake Fork - BAR Constructors, Inc., lowest responsible bidder of four - \$50,052,400 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2420

Item 8: Authorize Supplemental Agreement No. 1 to the contract with Charles Gojer and Associates, Inc. to provide construction administration services and an on-site resident project representative for Phase 1 of the terminal apron repairs at Dallas Love Field - \$109,214, from \$115,400 to \$224,614 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2421

Item 9: East Dallas VeloWay Phase II
(Santa Fe Trail)

Note: Item Nos. 9, 10, & 11 must
be considered collectively.

- * Authorize Supplemental Agreement No. 1 to the contract with Nathan D. Maier Consulting Engineering, Inc. to provide additional engineering services for bicycle and pedestrian enhancements on Phase II of the East Dallas VeloWay (Santa Fe Trail) from Glasgow Street to Exposition Street - \$210,265, from 77,100 to \$287,365 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2422

Item 10: East Dallas VeloWay Phase II
(Santa Fe Trail)

Note: Item Nos. 9, 10, & 11 must
be considered collectively.

- * Authorize an Interlocal Agreement with Dallas County for the development and construction of bicycle and pedestrian enhancements on Phase II of the East Dallas VeloWay (Santa Fe Trail) from Glasgow Street to Exposition Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2423

Item 11: East Dallas VeloWay Phase II
(Santa Fe Trail)

Note: Item Nos. 9, 10, & 11 must
be considered collectively.

- * Authorize a License Agreement with the Dallas Area Rapid Transit for the joint use of the right-of-way on the Santa Fe rail corridor for the development of Phase II of the East Dallas VeloWay (Santa Fe Trail) from Glasgow Street to Exposition Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2424

Item 12: Authorize an increase in the contract with Eagle Contracting, L.P. for additional anaerobic digester improvements including process piping modifications, structural revisions, and gas monitoring additions at the Southside Wastewater Treatment Plant - \$328,487, from \$8,096,044 to \$8,424,531 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2425

Item 13: Authorize Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc. to provide design modifications and construction inspection for the Lake Fork Pump Station and 108-inch raw water transmission main - \$2,847,217, from \$5,331,865 to \$8,179,082 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2426

Item 14: Authorize Supplemental Agreement No. 2 to the professional services contract with Camp Dresser & McKee, Inc. to provide engineering design and construction services for the replacement of the existing ozone disinfection system equipment and capacity related improvements at the Elm Fork Water Treatment Plant - \$662,500, from \$6,477,052 to \$7,139,552 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2427

Item 15: Authorize (1) the acceptance and deposit of funds from Methodist Health System in the amount of \$33,300 for reimbursement of material and labor for adjustments to traffic signal hardware at Beckley Avenue and the Dallas Medical Center driveway; and (2) an increase in appropriations in the amount of \$33,330 in the Capital Projects Reimbursement Fund - Total not to exceed \$33,330 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2428

Item 16: Authorize an agreement with TXU Electric Delivery for the installation of 27 rectangular-style street lights along Griffin Street from Wood Street to Field Street - \$147,012 - Financing: 2003 Bond 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

August 24, 2005

05-2429

Item 17: Authorize an additional payment to the Texas Department of Transportation for right-of-way acquisition and utility relocation on the Woodall Rodgers Extension (Spur 366) from IH 35E across the Trinity River to the intersection of Beckley Avenue and Singleton Boulevard - \$3,050,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2430

Item 18: Authorize (1) sidewalk paving, alley paving and wastewater main improvements for Project Group 03-3002; provide for partial payment of sidewalk 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 September 28, 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

August 24, 2005

05-2431

Item 19: Authorize (1) street paving, storm drainage and water main improvements for Houston School Road from Wheatland Road to Camp Wisdom Road; 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 September 28, 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

August 24, 2005

05-2432

Item 20: Authorize submission of the list of candidate projects to Dallas County for Dallas County's Major Capital Improvement Fund Thoroughfare Program's 2005 Call for Projects, and authorize acceptance and implementation of the projects selected by Dallas County for this program - City's match will not exceed \$75,000,000 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2433

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of land containing approximately 1.4 acres located near the intersection of Arturo and Lakeland Drives from Ernest C. Briggs and Beatrice E. Briggs for the Ash Creek Drainage project - \$150,000 - Financing: 2003 Bond 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

August 24, 2005

05-2434

Item 22: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land containing approximately 26,986 square feet for the construction of the Northwest Corridor Line Section (NW-1B) of its light rail system located at the intersection of Vagas Avenue and Harry Hines Boulevard, from Bipin B. Patel - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2435

Item 23: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land containing approximately 43,186 square feet for the construction of the Northwest Rail Operating Facility located on Doric Street near its intersection with Abernathy Avenue, from Alan Cooper - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2436

Item 24: An ordinance abandoning a portion of an alley to Venenca Partners, L.P., the abutting owner, containing approximately 9,102 square feet of land located near the intersection of Stoneport Drive and Loop 12, and authorizing the quitclaim - Revenue: \$6,827 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26069.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2437

Item 25: An ordinance granting a private license to Dallas Theological Seminary for the use of approximately 466 square feet of land to construct, install and maintain chill water lines under a portion of St. Joseph Street right-of-way located near its intersection with Live Oak Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26070.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2438

Item 26: An ordinance abandoning easements to NorthPark Land Partners, LP, the abutting owner, containing approximately 100,888 square feet of land located near the intersection of Northwest Highway and Boedeker Street, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

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

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

Councilmember Oakley moved to pass the ordinance.

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 Rasansky voting "No." (Hill, Thornton Reese, Salazar absent when vote taken)

Assigned ORDINANCE NO. 26071.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2439

Item 27: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land containing approximately 12,569 square feet for the construction of the Southeast Corridor Line Section (SE-1) of its light rail system located at the intersection of Gunter Avenue and Robert B. Cullum Boulevard, from Richard E. Boone and Katherine F. Boone - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2440

Item 28: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land containing approximately 62,808 square feet for the construction of the Northwest Corridor Line Section of its light rail system (NW-3) located at the intersection of West Northwest Highway and Denton Drive, from Triple P, Inc. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2441

Item 29: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 3 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Junius Street and Oakland Avenue, Scyene Road and Todd Street, and Gunter and Trunk Avenues - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2442

Item 30: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land containing approximately 17,000 square feet for the construction of the DART Northwest Rail Operating Facility to be located near the intersection of Century Street and Denton Drive, from Lou Morton Ellis - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2443

Item 31: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Southeast Corridor Line Section located near the intersection of Scyene Road and Bisbee Drive
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2444

Item 32: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 11 tracts of land for the construction of the Southeast Corridor Line Section (SE-2) located near the intersection of Scyene Road and Bisbee Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2445

Item 33: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 3 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Metropolitan and Trunk Avenues, Gunter and Trunk Avenues and Park Row and Trunk Avenues - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2446

Item 34: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 4 tracts of land for the construction of the Northwest Rail Operating Facility located near the intersection of Abernathy Avenue and Lombardy Lane - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2447

Item 35: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 4 tracts of land for the construction of the Northwest Rail Operating Facility located near the intersection of Abernathy Avenue and Lombardy Lane - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2448

Item 36: Authorize the private sale, by quitclaim deed of an improved property located at 1246 Sleepy Hollow Drive acquired by the taxing authorities from a Sheriff's Sale to Claudia V. Carmona - Revenue: \$48,503

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Hill, Medrano, Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2449

Item 37: Authorize (1) the acceptance of 10 vacant lots originally quitclaimed to South Dallas Fair Park Innercity Community Development Corporation pursuant to the Land Assembly Program, and (2) termination of the existing deed restrictions - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 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 37 was brought up for consideration.

The following individual addressed the city council regarding the item:

Diane Ragsdale, 3611 Dunbar St.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2450

Item 38: Authorize (1) the proposed private resale of 5 unimproved properties from South Dallas Fair Park Inner City Development Corporation to Dallas Neighborhood Alliance for Habitat, (2) the acceptance of Land Transfer Proposals from Dallas Neighborhood Alliance for Habitat for the properties, and (3) an amendment to deed restrictions for the properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2451

Item 39: Authorize a twenty-four-month price agreement for signs, sign posts, and sign installation hardware with the lowest responsible bidders of nine - Centerline Supply, LTD in the amount of \$136,141, Allied Tube & Conduit Corporation in the amount of \$9,961, MD Solutions, Inc. in the amount of \$3,165, Xcessories Squared in the amount of \$8,370, and Dyna Engineering, LTD in the amount of \$6,175 - Total not to exceed \$163,812 - Financing: Current Funds

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2452

Item 40: Authorize a twenty-four-month price agreement for aluminum sign blanks with the lowest responsible bidder of four - Custom Products Corporation - Not to exceed \$264,003 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2453

Item 41: Authorize a thirty-six-month service contract for armored car service for City facilities that handle money with the lowest responsible bidder of three - AT Systems Southwest, Inc. - Not to exceed \$445,955 - Financing: Current Funds (\$356,765), Convention and Event Services Current Funds (\$53,514), Aviation Current Funds (\$17,838), Water Utilities Current Funds (\$17,838)

Councilmember Rasansky requested that consent agenda item 41 be considered as an individual item. Mayor Miller stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 41 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

Note: The auditor was instructed to do an internal audit of the process regarding armored car service for city facilities that handle money.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2454

Item 42: Authorize a sixty-month professional services contract with Granzow & Associates, Inc. to provide elevator/escalator consulting services for City facilities - Not to exceed \$450,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2455

Item 43: Authorize a sixty-month service contract for janitorial services at the Central Service Center located at Hall and Canton with the lowest responsible bidder of six - Andrew's Building Service, Inc. - Not to exceed \$1,548,470 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2456

Item 44: Authorize a six-month price agreement for the replacement or retrofitting of fixed non-conforming security/burglar bars on homes owned by low and moderate income families in the area bounded by Martin Luther King, Jr. Boulevard, Malcolm X Boulevard, Lagow Street, and Pine Street with the lowest responsible bidders of two - Jordan's Weld Shop & Electronics - Not to exceed \$239,875 - Financing: Current Funds (\$139,875), Burglar Bars Grant Funds (\$100,000)

Councilmember Rasansky requested that consent agenda item 44 be considered as an individual item. Mayor Miller stated that consent agenda item 44 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 44 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Hill, Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2457

Item 45: Authorize a sixty-month price agreement for polymer for the Southside Wastewater Treatment Plant with the only bidder - Polydyne, Inc. - Not to exceed \$7,096,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2458

Item 46: Authorize a thirty-six-month price agreement for pre-cast meter vaults with the only bidder - Oldcastle Precast, Inc. - Not to exceed \$98,220 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2459

Item 47: Authorize (1) the acceptance of two Economic Development Initiative (EDI) grants upon approval from the U.S. Department of Housing and Urban Development in the amounts of \$198,000 and \$248,000 to be used for the construction, rehabilitation, renovation and hard costs related to the Texas Theatre project located at 231 W. Jefferson Boulevard; (2) an agreement with the Oak Cliff Foundation to use the EDI funds for the construction, rehabilitation, renovation and hard costs related to the Texas Theatre project; and, (3) modification of the loan documents to the Section 108 contract with the Oak Cliff Foundation to extend the completion date for the construction, renovation and rehabilitation to the Texas Theatre until December 31, 2006 - 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

August 24, 2005

05-2460

Item 48: Authorize the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$160,466 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$151,966) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$8,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2461

Item 49: Authorize the first twelve-month renewal option to the contract with AIDS Interfaith Network, Inc., to provide a citywide HIV/AIDS education, outreach, and prevention program targeting primarily high-risk African American and Hispanic populations for the period October 1, 2005 through September 30, 2006 - Not to exceed \$90,000 - Financing: 2005-06 Community Development Grant Funds (\$75,000) and Current Funds (\$15,000) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2462

Item 50: Authorize the first twelve-month renewal option to the contract with Welcome House, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$340,378 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$302,300) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$38,078)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2463

Item 51: Authorize the first twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$887,419 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$232,830), 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$469,678) and 2003-04 Housing Opportunities for Persons with AIDS Grant Funds (\$184,911)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2464

Item 52: Authorize the first twelve-month renewal option to the contract with AIDS Services of North Texas, Inc. to provide scattered housing assistance for persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$223,143 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2465

Item 53: Authorize two contracts with Community Dental Care for the continuation of dental health services to low-income residents of Dallas for the period October 1, 2005 through September 30, 2006 - Not to exceed \$825,000 - Financing: 2005-06 Community Development Grant Funds (\$200,000) and Current Funds (\$625,000) (subject to appropriations)

Councilmembers Griffith and Rasansky requested that consent agenda item 53 be considered as an individual item. Mayor Miller stated that consent agenda item 53 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Griffith and Rasansky's request.

Later in the meeting, agenda item 53 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2466

Item 54: Authorize a contract with Holmes Street Foundation, Inc. for residential substance abuse treatment services for low-income and uninsured adolescents for the period October 1, 2005 through September 30, 2006 - Not to exceed \$76,560 - Financing: 2005-06 Community Development Grant Funds (\$65,000) and Current Funds (\$11,560) (subject to appropriations)

Councilmember Griffith requested that consent agenda item 54 be considered as an individual item. Mayor Miller stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griffith's request.

Later in the meeting, agenda item 54 was brought up for consideration.

Mayor Pro Tem Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2467

Item 55: Authorize a contract with Housing Crisis Center, Inc. to provide emergency shelter services to families and children for the period October 1, 2005 through September 30, 2006 - Not to exceed \$63,655 - Financing: 2005-06 Emergency Shelter Grant Funds

Councilmember Griffith requested that consent agenda item 55 be considered as an individual item. Mayor Miller stated that consent agenda item 55 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griffith's request.

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

Councilmember Griffith moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2468

Item 56: Authorize a contract with Legal Aid of North West Texas, Inc. to provide legal aid to low-income citizens for emergency shelter services for the period October 1, 2005 through September 30, 2006 - Not to exceed \$77,177 - Financing: 2005-06 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2469

Item 57: Authorize a contract with The Family Gateway, Inc. to provide emergency shelter services to families and children for the period October 1, 2005 through September 30, 2006 - Not to exceed \$60,847 - Financing: 2005-06 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2470

Item 58: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$1,372,810 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$1,014,663) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$358,147)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2471

Item 59: Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center at Dallas for an outreach program to facilitate access of persons with HIV/AIDS to medical and social services for the period October 1, 2005 through September 30, 2006 - Not to exceed \$80,000 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2472

Item 60: Authorize (1) the acceptance of Transitional Housing Grant Funds in the amount of \$149,913 from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for transitional housing for homeless families and/or single homeless persons for the period December 1, 2005 through November 30, 2006, (2) a local match in an amount not to exceed \$9,978, and (3) execution of the grant agreement - Total not to exceed \$159,891 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$149,913) and Current Funds (\$9,978) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2473

Item 61: Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2005 through August 31, 2006 - Not to exceed \$375,525 - Financing: Current Funds (\$344,231 subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2474

Item 62: Authorize an amendment to the contract with the Dallas Housing Acquisition and Development Corporation to (1) provide an extension in the term of the contract to November 1, 2006; (2) provide that the City may refer up to 625 parcels of real property for the tax lawsuit by March 26, 2006; and (3) provide pro bono legal services to prosecute the lawsuits during the extended term of the contract - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2475

Item 63: Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2005 through August 31, 2006 and execution of the grant agreement - Not to exceed \$415,421 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2476

Item 64: Authorize the issuance of tax-exempt refunding bonds to be issued by the Red River Education Finance Corporation in an aggregate principal amount not to exceed \$18,750,000 for the benefit of The Hockaday School - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2477

Item 65: Authorize (1) the acceptance of the Dallas Police Department Victim Services/5 grant from the Office of the Governor, Criminal Justice Division in the amount of \$49,499 to adequately respond to victims of violent crime with needed aid, for the period July 1, 2005 through June 30, 2006, (2) a local match in the amount of \$12,500, (3) and execution of the grant agreement - Total not to exceed \$61,999 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$49,499) and Current Funds (\$12,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2478

Item 66: Authorize renewal of the contract with El Centro College of the Dallas County Community College District to place authorized Police Department training in the El Centro Community Service Program, including receipt of payment from El Centro for the two-year period of September 1, 2005 through August 31, 2007 - Not to exceed \$400,000 - Financing: Texas Higher Education Coordinating Board Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2479

Item 67: Authorize Cooperative Working Agreements with the Amarillo Police Department in the amount of 15,000, Austin Police Department in the amount of \$15,000, Bexar County Sheriff's Department in the amount of \$15,000, Corpus Christi Police Department in the amount of \$15,000, Dallas Children's Advocacy Center in the amount of \$20,000, Dallas County District Attorney's Office in the amount of 35,000, Denton County District Attorney's Office in the amount of \$15,000, El Paso Police Department in the amount of \$15,000, Harris County Constable's Office in the amount of \$15,000, Longview Police Department in the amount of \$15,000, Tarrant County District Attorney's Office in the amount of \$15,000, Texas Attorney General's Office in the amount of \$30,000, and Steve Wiederrich in the amount of \$7,500, for the investigation, prosecution, education and counseling activities related to the Dallas Internet Crimes Against Children Task Force in response to the Internet related sexual exploitation of children, for the period April 1, 2005 through September 30, 2006 - Total not to exceed \$227,500 - Financing: Internet Crimes Against Children Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2480

Item 68: Authorize the renewal of the Interlocal Agreement with the Richardson Independent School District for campus-based school liaison services at Lake Highlands High School located at 7630 Arapaho Road, Forest Meadow Junior High School located at 9449 Church Road, and Westwood Junior High School located at 9373 Whitehurst Drive for the period August 15, 2005 through July 31, 2011 - Estimated Annual Revenue: \$136,400

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2481

Item 69: Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the acquisition of 6-inch resolution digital aerial orthophotos of the areas in and around the City of Dallas - \$79,266 - Financing: Community Oriented Policing Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2482

Item 70: Authorize a one-year microfilm services contract with the United States National Archives and Records Administration (NARA) - Fort Worth Branch to microfilm essential and permanent city records in accordance with permanent preservation standards established by state law - Not to exceed \$69,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2483

Item 71: Authorize the acceptance of a grant from the Texas Commission on Environmental Quality, for the reimbursement of costs to replace the engine of a bulldozer used at the McCommas Bluff Landfill to reduce emissions - Not to exceed \$36,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2484

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 72-79, and addendum addition 3 were presented for consideration.

Agenda items 73, 75 and 76 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 72:	Zoning Case Z045-226 (DW)	
Agenda item 73:	Zoning Case Z045-232 (JP)	[Considered individually]
Agenda item 74:	Zoning Case Z045-235 (RB)	
Agenda item 75:	Zoning Case Z045-238 (WE)	[Considered individually]
Agenda item 76:	Zoning Case Z045-241 (WE)	[Considered individually]
Agenda item 77:	Zoning Case Z045-243 (DW)	
Agenda item 78:	Zoning Case Z045-244 (DW)	
Agenda item 79:	Zoning Case Z045-246 (MM)	
Addendum addition 3:	Zoning Case Z045-251 (WE)	

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

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

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

William Hopkins, 2011 Leath St.

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2485

Item 72: Zoning Case Z045-226 (DW)

Zoning Case Z045-225 (DW), an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District on the west side of Goodnight Lane, south of Walnut Hill Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26072.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2486

Item 73: Zoning Case Z045-232 (JP)

The consent zoning docket, consisting of agenda items 72-79 and addendum addition 3, was presented.

Councilmember Hunt requested that consent zoning docket item 73 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 73 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, zoning docket item 73 was brought up for consideration.

A public hearing was called on zoning case Z045-232 (JP), an application for and a ordinance granting a TH-2(A) Townhouse District on property zoned an R-10(A) Single Family District on the south side of Northwest Highway, west of Midway Road and a resolution accepting deed restrictions volunteered by the applicant.

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

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

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

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2487

Item 74: Zoning Case Z045-235 (RB)

Zoning Case Z045-235 (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 Drive, southwest of Maple Avenue and a resolution accepting deed restrictions and an avigation easement 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. 26073.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2488

Item 75: Zoning Case Z045-238 (WE)

The consent zoning docket, consisting of agenda items, 72-79 and addendum addition 3, was presented.

Councilmember Chaney requested that consent zoning docket item 75 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 75 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 75 was brought up for consideration.

A public hearing was called on zoning case Z045-238 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1501 for a private recreation center, club, or area to allow a private school on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District on the south side of Samuell Boulevard and east of Buckner Boulevard (Loop 12).

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

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

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

“Amend Condition No. 6 to read as follows: HOURS OF OPERATION: The private elementary school may only operate between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday; and between the hours of 8:00 a.m. and 3:30 p.m. on Saturdays, except for school related administrative meetings”; and pass the ordinance.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Miller absent when vote taken)

Assigned ORDINANCE NO. 26074.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2489

Item 76: Zoning Case Z045-241 (WE)

The consent zoning docket, consisting of agenda items, 72-79 and addendum addition 3, was presented.

Councilmember Salazar requested that consent zoning docket item 76 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 76 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Salazar's request.

Later in the meeting, zoning docket item 76 was brought up for consideration.

A public hearing was called on zoning case Z045-241 (WE), an application for and an ordinance granting an IM Industrial Manufacturing District on property zoned an IR Industrial Research District on the west side of Goodnight Lane at Glenda Lane and a resolution accepting deed restrictions volunteered by the applicant.

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

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

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

“Subject to deed restrictions volunteered by the applicant with the ordinance and deed restrictions to return on a future agenda.”

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2490

Item 77: Zoning Case Z045-243 (DW)

Zoning Case Z045-243 (DW), an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 59 within Planned Development District No. 193, the Oak Lawn Special Purpose District, to create a new tract to provide for reduced setbacks on the northwest corner of Throckmorton Avenue and Wycliff Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26075.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2491

Item 78: Zoning Case Z045-244 (DW)

Zoning Case Z045-244 (DW), an application for and an ordinance granting an R-1/2ac(A) Single Family District on property zoned an CS-D-1 Commercial Service District with a Dry Liquor Control Overlay on the northeast side of Kleberg Road, southeast of Belt Line Road.

(The city plan commission recommended approval, with retention of the D-1 Liquor Control Overlay.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26076.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2492

Item 79: Zoning Case Z045-246 (MM)

Zoning Case Z045-246 (MM), an application for an IR Industrial Research District on property zoned an MU-3 Mixed Use District, with deed restrictions volunteered by the applicant, on the southwest corner of Lombardy Lane and Finnell Street.

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

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2493

Item 80: Zoning Case Z045-168 (DW) - DALLAS INDEPENDENT SCHOOL DISTRICT

Zoning Case Z045-168 (DW), an application for and ordinances granting a Planned Development Subdistrict for GR General Retail uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, and an amendment to Planned Development District No. 305 to create a new Subdistrict C-1, on property zoned a GR General Retail Subdistrict within Planned Development District No. 193 and Subdistrict C within Planned Development District No. 305 on the west corner of McKinney Avenue and Haskell Avenue.

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

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

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

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Blaydes abstain; Thornton Reese absent when vote taken)

Assigned ORDINANCE NOS. 26077 & 26078.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2494

Item 81: Zoning Case Z045-236 (WE)

Zoning Case Z045-236 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 692 for a public school other than an open enrollment charter school and MF-1(A) Multifamily District to allow a youth and family center use on the south side of Fair Oaks Avenue, east of Pineland Drive.

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

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

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

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

Motion seconded by Councilmember Salazar and unanimously adopted. (Blaydes abstain; Thornton Reese absent when vote taken)

Assigned ORDINANCE NO. 26079.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2495

Item 82: Zoning Case Z034-295 (RB)

Zoning Case Z034-295 (RB), an application for and an ordinance granting an amendment to the landscape plan and conditions for Planned Development District No. 668 for a Private recreation center, club, or area and R-7.5(A) Single Family District uses on the west line of Polk Street, South of IH 20.

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

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

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

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

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

Assigned ORDINANCE NO. 26080.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2496

Item 83: Public Hearing – Zoning Case Z045-215 (WE) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on an application for and an ordinance granting a Specific Use Permit for a Community Service Center on property zoned an R-7.5(A) Single Family District on the south line of Oates Drive, between Marimont Lane and Michael Lane.

(The city plan commission recommended approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions. Note: This item was considered by the City Council at a public hearing on August 10, 2005, and was held under advisement until August 24, 2005 with the public hearing open.)

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

Juanita Matlock, 9724 Michael Ln.
Kelly Whitney, 9624 Michael Ln.

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

Robert Baldwin, 401 Exposition, representing the applicant
Jennie Williams, 4761 Preston Trail, Mesquite, representing Mission East Dallas

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

Motion seconded by Councilmember Fantroy and unanimously adopted. (Miller absent when vote taken)

Assigned ORDINANCE NO. 26081.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2497

Item 84: Public Hearing – Zoning Case DCA-045-011 (DC) - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on a proposal to amend Chapter 51A of the Dallas Development Code, Article VII, “Sign Regulations,” to address kiosk signs that are part of a city sponsored way finding and street amenity program and to revise the regulations regarding unity agreement signs and an ordinance granting the amendments.

(The city plan commission recommended approval. Note: This item was considered by the City Council at a public hearing on August 10, 2005, and was held under advisement until August 24, 2005 with the public hearing open.)

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

Robert Reeves, 900 Jackson St.
William E. Cothrum, 900 Jackson St.
Greg Schooly, 208 N. Market

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

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

“Kiosks that are part of a city sponsored way finding and street amenity program are not allowed in the: 1. Victory Special Provision Sign District; 2. West Village Special Provision Sign District”; and pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted.

Assigned ORDINANCE NO. 26082.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2498

Item 85: BENEFIT ASSESSMENT HEARING

A public hearing was called on a benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater main improvements on Lucas Drive from Harry Hines Boulevard to Maple Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with McMahon Contracting, L.P., lowest responsible bidder of four - \$2,273,768 - Financing: 1998 Bond Funds (\$653,088), 2003 Bond Funds (\$1,000,000), Water Utilities Capital Improvement Funds (\$584,680), and Water Utilities Capital Construction Funds (\$36,000).

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

The following individual addressed the city council regarding the benefit assessment:

Charles Gerard, 4525 Sylvester

Councilmember Medrano moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

Motion seconded by Councilmember Oakley and unanimously adopted.

Assigned ORDINANCE NO. 26083.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2499

Item 86: BENEFIT ASSESSMENT HEARING

A public hearing was called on a benefit assessment hearing to receive citizens' comments on sidewalk paving on Holden Avenue from S. Beckley Avenue to Michigan Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Artco International, lowest responsible bidder of seven - \$78,376 - Financing: 2003 Bond Funds.

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

Councilmember Rasansky moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted.

Assigned ORDINANCE NO. 26084.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2500

Item 87: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments in preparation of the FY 2005-06 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the FY 2005-06 Operating, Capital, Grant and Trust budgets:

Juanita Cron, 2295 Nantucket Village Cr., representing Dallas Area Inter-Faith
David Dunnigan, 1027 Evergreen Hill
Melba Williams, 1406 Carson St.
Brooks Fitch, 18725 North Dallas Pkwy.
Sydney Kay, 5718 Harvest Hill, representing Senior Affairs Commission
Mary Francis Hansen, 4697 Timberglenn, representing Senior Affairs Commission
Bert Holmes, 4515 West Lawther, representing Senior Affairs Commission
Artie Giles, 1450 Sleepy Hollow, representing Senior Affairs Commission
Lynn Cearley, 2628 San Medina Ave., representing Dallas Area Inter-Faith
Gerald Britt, Jr., 3962 Texas College, representing Dallas Area Inter-Faith
Patricia Buffington, 6402 Melody Ln.
Albert Parker, 6318 Elam Rd.
Marvin Crenshaw, 5134 Malcolm X Blvd.
Frank Ward, P.O. Box 50694
Jewel Floyd, 3815 Myrtle St.
William Hopkins,, 2011 Leath St.
Elizabeth Jessiman, 4416 University Blvd., University Park, TX, representing Dallas
Community Television

Deputy Mayor Pro Tem Garcia moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2501

FY 2005-06 Urban Land Bank
Demonstration Program Plan

Note: Item Nos. 88 & 89 must
be considered collectively.

Item 88: * A public hearing to receive citizens' comments on the proposed City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Item 89: * Authorize approval of the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Khraish H. Khraish, 5810 Club Oaks Dr., representing HMK, Ltd.
Al Lipscomb, 830 Clearwood Dr.
Frank Ward, P.O. Box 50694
Lula Mae Thompson, 819 Westport
Mariah Peterson, 6801 Lacywood

Councilmember Oakley moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2502

Note: Item Nos. 90 & 91 must
be considered collectively.

Private Sale of Unimproved Properties

Item 90: * 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 SouthFair Community Development Corporation and Builders of Hope CDC, qualified non-profit organizations - Financing: No cost consideration to the City

Item 91: * 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 qualified non-profit organizations (list attached) - Revenue: \$2,000

The following individuals addressed the city council regarding the item:

Frank Ward, P.O. Box 50694
Jewel Floyd, 3715 Myrtle St.
Lula Mae Thompson, 819 Westport

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2504

Item 93: An ordinance declaring approximately 64,697 square feet of Brownwood Park unwanted and unneeded located at the intersection of Walnut Hill Lane and Old Lemmon Avenue and authorizing its sale to the Dallas Independent School District - Revenue: \$356,000

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 Salazar moved to pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Blaydes abstain; Thornton Reese absent when vote taken)

Assigned ORDINANCE NO. 26085.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2505

Item 94: An ordinance abandoning a portion of an alley to the Dallas Independent School District, the abutting owner, containing approximately 6,730 square feet of land located near the intersection of Paulus and Reiger Avenues, and authorizing the quitclaim - Revenue: \$47,110 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 Hunt moved to pass the ordinance.

Motion seconded by Councilmember Salazar and unanimously adopted. (Blaydes abstain; Thornton Reese absent when vote taken)

Assigned ORDINANCE NO. 26086.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2506

Item 95: Authorize hardship relief for property located at 2370 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Thornton Reese, Chaney absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2507

Item 96: Authorize hardship relief for property located at 3111 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Thornton Reese, Chaney absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2508

Beckleymeade Project – Enterprise Zone 2

Note: Item Nos. 97, 98, & 99
must be considered collectively.

Item 97: * Authorize a real property tax abatement agreement with the TCDFW I-20 I, LP for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property for the development of a commercial/warehouse facility, a 500,000 square foot building, at the southeast quadrant of Beckleymeade Avenue and Hampton Road in Enterprise Zone 2 - Revenue: First year tax revenue estimated at \$8,564; ten-year tax revenue estimated at \$85,644 (Estimated revenue forgone for ten-year abatement is \$770,798)

Councilmember Fantroy moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2509

Beckleymeade Project – Enterprise Zone 2

Note: Item Nos. 97, 98, & 99
must be considered collectively.

Item 98: * Authorize a development agreement with Penn Brothers Realty and Paul Jarzemsky (acting as attorney in fact for the abutting property owners on the north side of Beckleymeade) to accept an amount up to \$675,000 in private participation for the construction of roadway improvements at Beckleymeade Avenue from Hampton Road to Polk Street in Enterprise Zone 2 - Financing: No cost consideration to the City

Councilmember Fantroy moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2510

Beckleymeade Project – Enterprise Zone 2

Note: Item Nos. 97, 98, & 99
must be considered collectively.

Item 99: * Authorize an infrastructure cost participation and Chapter 380 economic development grant agreement with the TCDFW I-20 I, LP for public infrastructure (to be publicly bid) and economic development grant to support the development of a commercial/warehouse facility, a 500,000 square foot building, at the southeast quadrant of Beckleymeade Avenue and Hampton Road in Enterprise Zone 2 - Not to exceed \$2,775,000 - Financing: 2003 Bond Funds (\$2,100,000) and Public/Private Partnership Funds (\$675,000)

Councilmember Fantroy moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2511

Item 100: Authorize approval of the 2005-06 Dallas-Fort Worth International Airport Board annual budget - Financing: No cost consideration to the City

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2512

Item 101: An ordinance denying Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program Rate Adjustment and setting Gas Reliability Infrastructure Program Rates to be charged by Atmos Energy Corp. Mid-Tex Division - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26087.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2513

Item 102: A resolution ordering Atmos Energy Corp., Mid-Tex Division to show cause regarding the reasonableness of its existing Natural Gas Distribution rates within the City of Dallas - Financing: No cost consideration to the City

The following individual addressed the city council regarding the resolution:

Charles Yarbrough, 9114 Loma Vista Dr.

Deputy Mayor Pro Tem Garcia moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2514

Item 103: An ordinance adopting new aircraft noise attenuation requirements for Chapter 53 of the Dallas City Code "Dallas Building Code," and Chapter 57 of the Dallas City Code "Dallas One- and Two-Family Dwelling Code," and making conforming amendments to Article VIII, "Plat Regulations" of Chapter 51A - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26088.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2515

Item 104: An ordinance granting a TH-1(A) Townhouse 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 and a resolution accepting deed restrictions volunteered by the applicant and a resolution accepting the termination of existing deed restrictions - Z045-179(RB) - Financing: No cost consideration to the City

Councilmember Natinsky moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26089.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2516

Item 105: Authorize a sixty-month service contract for workers' compensation and third party liability claims administration and related cost containment services for the period of November 1, 2005 through October 31, 2010 with the most advantageous proposer of fourteen - Tristar Risk Management - Not to exceed \$11,971,853 - Financing: Workers' Compensation Current Funds (subject to annual appropriations)

The city secretary announced that the city manager had deleted agenda item 105 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2517

Item 106: Authorize a twenty-year service contract for a comprehensive outdoor sign kiosk advertising program with the most advantageous proposer of five - Viacom Outdoor Group, Inc. - Estimated Net Revenue: \$21,325,000

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

Councilmember Hunt 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 Chaney voting "No". (Rasansky abstain; Miller, Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2518

Closed Session

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

- City of Dallas v. Beazer Homes Texas, L.P., Cause No. 04-12777-G
- 2218 Bryan Street, Ltd. v. City of Dallas, Appeal No. 05-04-00064-CV
- City of Dallas v. Dora Saucedo-Falls et al., Appeal No. 05-04-01368-CV
- State v. Howard, Appeal No. 05-04-01543-CR

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

- City of Dallas v. Beazer Homes Texas, L.P., Cause No. 04-12777-G
- 2218 Bryan Street, Ltd. v. City of Dallas, Appeal No. 05-04-00064-CV
- City of Dallas v. Dora Saucedo-Falls et al., Appeal No. 05-04-01368-CV
- State v. Howard, Appeal No. 05-04-01543-CR

No other matters were discussed during the executive session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2519

Addendum addition 1: Authorize the release of non-tax City liens against 1 privately held vacant property located at 432 N. Denley Drive, in exchange for Texas Heavenly Homes, Ltd. providing an unsecured promissory note in the amount of the non-tax liens, estimated to be \$1,427, paying all delinquent taxes, penalties and interest on the property, and providing affordable housing on the property for a low-income household in accordance with the City's Land Transfer Policy and Program Statement - Estimated revenue foregone: \$1,427

Councilmember Rasansky requested that addendum addition 1 be considered as an individual item. Mayor Miller stated that addendum addition 1 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 1 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2520

Addendum addition 2: An ordinance abandoning a portion of Forest Springs Drive to Forest Run Chancellor, L.P., the abutting owner, containing approximately 66,537 square feet of land located between Abrams Road and Timberleaf Drive and authorizing the quitclaim in exchange for the conveyance of approximately 66,537 square feet of land needed for public open space - Revenue: \$5,000 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that addendum addition 2 be considered as an individual item. Mayor Miller stated that addendum addition 2 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 2 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

Assigned ORDINANCE NO. 26090.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2521

Addendum addition 3: An application for and an ordinance granting an IR Industrial Research District with deed restrictions volunteered by the applicant on property zoned for an A(A) Agricultural District located on the north side of Daniieldale Road, south of LBJ Freeway and east of Hampton Road 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. 26091.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2522

Addendum addition 4: Public Hearing – Zoning Case Z045-195 (RB)

A public hearing was called on an application for and an ordinance granting a Planned Development District for MF-1(A) Multifamily District Uses, NS(A) Neighborhood Service District Uses, a Nursery, garden shop, or plant sales use, Financial institution with drive-in window, General merchandise or food store greater than 3,500 square feet, Home improvement center, lumber, brick or building materials sales yard, and a Restaurant with drive-in or drive-through window on property zoned a CR Community Retail District and a TH-2(A) Townhouse District in the northeast quadrant of Cockrell Hill Road and Kiest Boulevard.

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

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

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

Motion seconded by Councilmember Blaydes and unanimously adopted.

Assigned ORDINANCE NO. 26092.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2523

Addendum addition 5: Authorize a professional services contract with the law firm of Mounce, Green, Myers, Safi & Galatzan P.C., for legal services to represent the City in a proceeding before the Railroad Commission of Texas styled Atmos Energy Corporation Transmission Gas Cost Review, Gas Utilities Docket No. 9530 and in all other related litigation and appeals - Not to exceed \$96,000 - Financing: Current Funds

Councilmember Koop moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2524

Addendum addition 6: An ordinance amending Section 13-5.2 of the Dallas City Code to require associate and full-time municipal judges, including the administrative judge, to reside in the city of Dallas within four months after being appointed and to provide for the Judicial Nominating Commission to report and make recommendations to the City Council's Ad Hoc Legislative Committee - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

Motion seconded by Councilmember Hunt and unanimously adopted.

Assigned ORDINANCE NO. 26093.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2525

Addendum addition 7: Authorize (1) a public hearing to be held on September 14, 2005 to receive citizens' comments on amendments to the City Center City Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) increase the City's participation in the City Center TIF District from 61% to 90% beginning in the 2006 tax year, (b) amend the City Center TIF District Boundary to exclude 1603 Commerce Street, 1607 Commerce Street, 1609 Commerce Street, 1616 Main Street, 1618 Main Street and 1622 Main Street (Neiman Marcus), and (c) make corresponding modifications to the Plan and Ordinance Nos. 22802 and 23034 to implement such plan amendments for the City Center TIF District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and at the close of the hearing, (2) consideration of an ordinance amending Ordinance Nos. 22802 and 23034 to reflect all such Plan amendments - Financing: No cost consideration to the City

The city secretary announced that the city manager had deleted addendum addition 7 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2526

Addendum addition 8: Authorize (1) adoption of the Preliminary FY 2005-06 Consolidated Plan Reprogramming Budget #1 to appropriate \$1,600,000 of Section 108 Intown Housing Program Income; and, (2) a public hearing to be held on September 28, 2005 to receive citizens' comments on the proposed use of funds - Financing: No cost consideration to the City

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2527

Addendum addition 9: **November 8, 2005 Special Election**

- * An ordinance ordering a special election to be held in the City of Dallas on Tuesday, November 8, 2005, for the purpose of submitting to the qualified voters of the City proposed amendments to the Dallas City Charter - Financing: This action has no cost consideration to the City

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Koop.

Councilmember Rasansky moved to substitute for Councilmember Oakley's motion a motion to separate the Mayor's compensation from Proposition 1 and add Proposition 14 for the Mayor's compensation.

Motion seconded by Councilmember Hunt.

After discussion, Mayor Miller called the vote on Councilmember Rasansky's substitute motion:

Voting Yes: [7] Miller, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt
Voting No: [8] Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy

Mayor Miller declared the motion failed.

Mayor Miller called the motion on Councilmember Oakley's main motion:

Voting Yes: [14] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Koop, Natinsky, Hunt
Voting No: [1] Rasansky

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26094.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2528

Addendum addition 10: **November 8, 2005 Special Election**

- * An ordinance ordering special election to be held in the City of Dallas on Tuesday, November 8, 2005, for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding permanent public improvements for Homeless Assistance Facilities, including housing facilities - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the ordinance:

Suzanne Charriere, 7209 Luptown Cr.
Louis Davion, 1308 Main St.
John Abbott, 5124 Swiss Ave.
Ronald Weisfeld, 3409 St. John, Highland Park

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

Motion seconded by Councilmember Hunt.

Councilmember Blaydes moved to substitute for Deputy Mayor Pro Tem Garcia's motion a motion to postpone action for six months.

Motion seconded by Councilmember Rasansky.

After discussion, Mayor Miller called the vote on Councilmember Blaydes' substitute motion:

Voting Yes: [2] Blaydes, Rasansky
Voting No: [13] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Koop, Natinsky, Hunt

Mayor Miller declared the motion failed.

Mayor Miller called the motion on Deputy Mayor Pro Tem Garcia's main motion:

Voting Yes: [14] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No: [1] Blaydes

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26095.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2529

Addendum addition 11: **November 8, 2005 Special Election**

- * A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a joint election to be held on Tuesday, November 8, 2005 - \$1,000,000 - Financing: Current Funds (subject to appropriations)

Councilmember Fantroy moved to approve the resolution.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2530

Addendum addition 12: **November 8, 2005 Special Election**

- * A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Collin County, and various other jurisdictions within Collin County, for the conduct of a joint election to be held on Tuesday, November 8, 2005 - \$25,000 - Financing: Current Funds (subject to appropriations)

Councilmember Fantroy moved to approve the resolution.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2531

Addendum addition 13: **November 8, 2005 Special Election**

- * A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Denton County, and various other jurisdictions within Denton County, for the conduct of a joint election to be held on Tuesday, November 8, 2005 - \$10,000 - Financing: Current Funds (subject to appropriations)

Councilmember Fantroy moved to approve the resolution.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2532

Addendum addition 14: **November 8, 2005 Special Election**

- * A resolution approving the appointment of citizens to serve as election judges for the November 8, 2005 joint election - Financing: No cost consideration to the City

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

Councilmember Fantroy moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2533

Addendum addition 15: **November 8, 2005 Special Election**

- * A resolution approving the appointment of citizens to serve as election judges for the City of Dallas in Collin County for the November 8, 2005, joint election - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2534

Addendum addition 16: **November 8, 2005 Special Election**

- * A resolution approving the appointment of citizens to serve as election judges for the City of Dallas in Denton County for the November 8, 2005, joint election - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 24, 2005

05-2535

Addendum addition 17: **November 8, 2005 Special Election**

- * A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the November 8, 2005, special election, and submit a canvass report to the full City Council on Wednesday, November 16, 2005 - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the resolution.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 24, 2005

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS