

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 14, 2005

05-2580

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 9:33 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 6:01 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, SEPTEMBER 14, 2005

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 14, 2005

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2581

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: Charlene Rushing, 133 S. Akard St.
SUBJECT: Homeless in Dallas

SPEAKER: Floyd Lee, 2677 Crest Ave.
SUBJECT: Various topics

SPEAKER: Dwaine Caraway, 1934 Argyle St.
SUBJECT: Various topics

SPEAKER: Roy Williams, 5881 Prestonview Blvd.
SUBJECT: All Agenda Items

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: All Agenda Items

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Bonnie Hurd, 9215 Bruton Rd.
SUBJECT: It is a necessity to start at home first

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

SPEAKER: Jan Sanders, 7326 Malabar Ln.
SUBJECT: City budget

SPEAKER: Frank Ward, P.O. Box 50694
REPRESENTING: Community at Large
SUBJECT: The Lord, rebuke thee Jerry, Dick, Gabe, Charlie, Hank

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: Mayor of Dallas, Heaven 97AM, DHA Parkland

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2582

Item 1: Approval of Minutes of the August 24 and August 29, 2005 City Council Meetings.

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2583

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-74 and addendum addition consent agenda items 1 and 2, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 11 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 29, 47 and 66 be considered as individual items. Mayor Miller stated that consent agenda items 29, 47 and 66 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Koop requested that consent agenda item 48 be considered as an individual item. Mayor Miller stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Councilmember Hunt 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 Hunt's request.

The city secretary requested that consent agenda 63 be considered as an individual item to allow speakers to speak. Mayor Miller stated that consent agenda item 63 would be considered as an individual item later in the meeting, there being no voiced to the city secretary's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 11 which was deleted, and consent agenda items 29, 47, 48, 51, 63 and 66 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2584

Item 2: Authorize a professional services contract with Booziotis & Company Architects for the design of waterproofing and renovation of the lower level 1 floor at the J. Erik Jonsson Central Library located at 1515 Young Street - \$185,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2585

Item 3: Authorize a contract for the construction of a pedestrian trail, drinking fountain and site furnishings at Alta Mesa Park located at 2905 Alta Mesa Park - Irri-Con, lowest responsible bidder of six - \$141,050 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2586

Item 4: Authorize a contract for parking lot improvements, site furnishings, drinking fountains and an Americans with Disabilities Act portable toilet enclosure at Lake Highlands Park located at 9500 Lake Highlands Drive - Jeske Construction Company, lowest responsible bidder of four - \$113,647 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2587

Item 5: Authorize a contract for a playground, Americans with Disabilities Act compliant parking spaces, barrier free ramps and sidewalks, and site furnishings at Westhaven Park located at 4600 Lynnacre Drive - Parks for Play, Inc., lowest responsible bidder of seven - \$97,902 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2588

Item 6: Authorize a contract for pedestrian bridge replacement and trail at Tipton Park located at 3607 Magdeline - Henneberger Construction, Inc., lowest responsible bidder of six - \$299,355 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2589

Item 7: Authorize a contract for storm water quality improvements for the woodland area, hay barn, zebra pens and the hill exhibit area at the Dallas Zoo, Phase II located at 650 South R.L. Thornton Freeway - C. Green Scaping, L.P., lowest responsible bidder of three - \$740,497 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2590

Item 8: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Street Group 03-604 - P & E Contractors, Inc., lowest responsible bidder of three - \$1,279,545 - Financing: 2003 Bond Funds (\$665,821), 2003-04 Community Development Grant Reprogramming Funds (\$206,237), Water Utilities Capital Improvement Funds (\$396,662), Water Utilities Capital Construction Funds (\$10,825)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2591

Item 9: Authorize a contract for alley paving and drainage improvements for the alley between Walling Lane and Edgerton Drive - VAS Engineering & Construction, lowest responsible bidder of seven - \$209,150 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2592

Item 10: Authorize a contract for storm drainage improvements at 6247 Rex Drive - Artco-Goteck Joint Venture, lowest responsible bidder of six - \$99,011 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2593

Item 11: Authorize (1) a contract for environmental remediation and selective demolition of 1200 Main Street with Certified/LVI Environmental Services, Inc., lowest responsible bidder of three, in an amount not to exceed \$3,868,400; (2) assignment of the construction contract to LB 1200 Main LP for construction management; and (3) payment to LB 1200 Main LP in an amount not to exceed \$881,600 for design, reimbursables and construction management - Total not to exceed \$4,750,000 - Financing: City Center TIF District Funds

The city secretary announced that the city manager had deleted consent agenda item 11 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2594

Item 12: Authorize an increase in the contract with TurJac Construction, Ltd. for the interior renovation of the fifth floor including upgrade of the equipment for the audio, video, and teleconferencing capability, light controls, and mechanical system changes at the J. Erik Jonsson Central Library - \$61,446, from \$672,063 to \$733,509 - Financing: Library Gifts and Donations Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2595

Item 13: Authorize a decrease in the contract with Ed Bell Construction Company for deletion of pavement, street light installation and repair of the deteriorated drainage system for Phase 1 of the Central Business District Fair Park Link project from Gaston Avenue to Hall Street - (\$568,477), from \$6,268,744 to \$5,700,267 - Financing: 1998 Bond Funds (\$421,462), Wastewater Construction Funds (\$147,015)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2596

Item 14: Authorize an amendment to the contract with AUI Contractors, L.P. for site work and utility construction at the new Animal Shelter, located at 1818 N. Westmoreland Road to accept title to a tract of regraded and revegetated real property in Lone Star Park Phase 3, Block B/7226, City of Dallas, Dallas County, Texas, adjacent to the Animal Shelter project site, in lieu of a planned retaining wall - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2597

Item 15: Authorize (1) Supplemental Agreement No. 1 to the contract with DKS Associates to provide additional engineering services to design a train priority system at traffic signals in the Downtown Transitway Mall in the amount of \$345,160, from \$195,000 to \$540,160; (2) the receipt and deposit of funds from the Dallas Area Rapid Transit in an amount not to exceed \$345,160; and (3) an increase in appropriations in the amount of \$345,160 in the Capital Projects Reimbursement Funds - Total not to exceed \$345,160 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2598

Item 16: Authorize an increase in the contract with Archer Western Contractors, Ltd., for rough screen facility and pump header replacement at the Central Wastewater Treatment Plant - \$277,248, from \$1,396,000 to \$1,673,248 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2599

Item 17: Authorize an additional payment to the Texas Department of Transportation for the City's share of the cost for the construction of the IH 20 frontage roads from IH 35E to Lancaster Road - \$901,279 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2600

Item 18: Authorize the rejection of bids received for Sump A dredging improvements located at the floodway levee between Houston Street and Jefferson Street Viaduct bridges and the readvertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2601

Item 19: Authorize settlement in lieu of proceeding further with condemnation of Stanley Mechanics Tools, Inc. for an access easement containing approximately 21,171 square feet of land and a temporary easement containing approximately 2,976 square feet of land for the Elm Fork Transmission Pipeline project located near the intersection of Valley View Lane and Valley Branch Lane in Farmers Branch - \$32,500 - Financing: Water Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2602

Item 20: An ordinance abandoning a portion of a sanitary sewer easement to Corrigan: Investments, Inc., the abutting owner, containing approximately 1,200 square feet of land located near the intersection of Eastern Avenue and Lovers Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26098.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2603

Item 21: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 10 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersection of Harry Hines Boulevard and Cullum Lane - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2604

Item 22: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 27 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 Street and Trunk Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2605

Item 23: 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 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

September 14, 2005

05-2606

Item 24: An ordinance abandoning a portion of Douglas Avenue to Robert Pierson and Judith Pierson, the abutting owners, containing approximately 12,100 square feet of land located at its intersection with Park Lane, and authorizing the quitclaim - Revenue: \$252,648 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26099.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2607

Item 25: A resolution declaring approximately 39,800 square feet of City-owned land unwanted and unneeded located at 3709 Spring Avenue near its intersection with Cross Street and authorizing its advertisement for sale by sealed bids with a minimum bid of \$71,640 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2608

Item 26: An ordinance abandoning easements and portions of Stevens Village Drive and Stevens Hills Lane to West Kessler Development, LP, the abutting owner, containing approximately 35,234 square feet of land located near the intersection of Stevens Village and Stevens Forest Drives, and authorizing the quitclaim - Revenue: \$58,436 plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26100.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2609

Item 27: An ordinance abandoning a drainage and floodway easement to Mariah Bay Development, Inc., the abutting owner, containing approximately 67,518 square feet of land located within an inlet along the east shoreline of Lake Ray Hubbard south of I.H. 30, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26101.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2610

Item 28: Authorize a second amendment to the lease agreement with Larry J. Sala, for approximately 5,700 square feet of office, gallery, dance and shop space located within the Ice House Arts Plaza located at 942 West Page Street, for the continued use and development of community arts programs sponsored by the Office of Cultural Affairs, for the period of October 15, 2005 through October 14, 2008 - \$3,087 per month, for a total of \$111,132 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2611

Item 29: Authorize a thirty-six-month price agreement for lumber, plywood and sheetrock for City facilities with the lowest responsible bidders of two - Craddock Lumber Company in the amount of \$2,264,068 and Universal Forest Products in the amount of \$484,865 - Total not to exceed \$2,748,933 - Financing: Current Funds (\$2,473,963), Water Utilities Current Funds (\$201,193), Convention and Event Services Current Funds (\$73,777)

Councilmember Rasansky requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 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 29 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2612

Item 30: Authorize the purchase of sets of foreign language materials for the Dallas Public Library from OCLC, Inc. - Sole Source - Not to exceed \$76,410 - Financing: Current Funds (\$70,000), Library Facilities Funds (\$5,130), Carl and Florence King Funds (\$1,280)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2613

Item 31: Authorize (1) rescinding the twenty-four-month service contract for non-emergency wrecker services with Taylor's Wrecker Service previously approved on April 27, 2005 by Resolution No. 05-1367; and, (2) a twenty-four-month service contract for non-emergency wrecker services with the lowest responsible bidder of six - London & Sons' Towing - Not to exceed \$637,080 - Financing: Current Funds (\$621,680) and Confiscated Monies Funds (\$15,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2614

Item 32: Authorize Supplemental Agreement No. 1 to the contract with Trittech Software Systems to upgrade the panels and transformers, and install wiring for the Computer Aided Dispatch consoles - \$197,660, from \$5,192,370 to \$5,390,030 - Financing: 2003 Urban Area Security Initiative II Grant Funds (\$180,249), 2004 Urban Area Security Initiative Grant Funds (\$17,411)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2615

Item 33: Authorize a thirty-six-month service contract for computer system maintenance at the Central Wastewater Treatment Plant, through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program, with Bristol Babcock, Inc. - Not to exceed \$419,991 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2616

Item 34: Authorize the purchase of a portable office trailer to be located at the Southeast Service Center at 2821 Municipal Street from the lowest responsible bidder of five - Resun Leasing, Inc. - Not to exceed \$107,001 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2617

Item 35: Authorize a twelve-month price agreement for repair parts for the auger type conveyors located at the Central Wastewater Treatment Plant with Hartwell Environmental Corp. - Sole Source - Not to exceed \$110,615 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2618

Item 36: Authorize a thirty-six-month price agreement for fire hydrants and accessory parts with the lowest responsible bidders of four - Kennedy Valve, Division of McWane Inc. in the amount of \$501,882, Mueller Company in the amount of \$8,511, Clow Valve Company in the amount of \$34,242, and Hughes Supply, Inc. in the amount of \$22,344 - Total not to exceed \$566,979 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2619

Item 37: Authorize a thirty-six-month price agreement for valves and accessory parts with the lowest responsible bidders of two - Mueller Company in the amount of \$460,427, and Clow Valve Company in the amount of \$2,615,601 - Total not to exceed \$3,076,028 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2620

Item 38: Authorize a twenty-four-month price agreement for ductile iron pipe for the transportation of water and sewage, with the lowest responsible bidders of two - Griffin Pipe Products Co., Division of Amsted Industries - Not to exceed \$172,617 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2621

Item 39: Authorize a professional services contract with Haston Associates to conduct a groundwater characterization study and related services for the McCommas Bluff Landfill - Not to exceed \$128,227 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2622

Item 40: Authorize settlement of the lawsuit styled Asteria Wofford v. City of Dallas, Cause No. 04-08062-L - \$7,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2623

Item 41: Authorize a three-year Interlocal Agreement with Dallas County to provide Dallas County with two-way radio service, equipment, antenna space, microwave service, and radio system air time for the period of October 1, 2005 through September 30, 2008 - Revenue: \$266,811

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2624

Item 42: Authorize a replacement housing payment for Jose A. Carbajal and Maria D. Carbajal who have been displaced as a direct result of the real property acquisition of 8880 square feet of land at 622 Griffith Avenue in the Ruthmeade Place Addition, to be used in conjunction with the Cedar Creek Floodway Project - Not to exceed \$72,250 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2625

Item 43: Authorize a business moving expense fixed payment, in lieu of payment of actual moving and related expenses, for Roosevelt Shepherd whose business, Best Buy Cut Rate Liquor Store, was displaced as a direct result of the real property acquisition of 5504 Bexar Street in conjunction with the Bexar Street Redevelopment Project as a part of the Neighborhood Investment Program - Not to exceed \$20,000 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2626

Item 44: Authorize a replacement housing and moving expense payment for Billy Davis in the amount of \$129,750 and Isaiah Winn, Jr. in the amount of \$76,450, who will be displaced as a direct result of the real property acquisitions of 2461 Starks Avenue and 2438 Hooper Street, to be used in conjunction with the Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Total not to exceed \$206,200 - Financing: 2004-05 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2627

Item 45: Authorize the acquisition of 1 property improved with a vacant commercial structure at 5309 Bexar Street at its intersection with Starks Avenue from Letha Valentine for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program - \$27,000 including estimated closing costs in the amount of \$2,000 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2628

Item 46: An ordinance authorizing corrections to Chapter 51P, Planned Development District regulations of the Dallas City Code, as amended, to add resolution numbers to the ordinance histories, correct clerical and semantic errors and other non-substantive amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26102.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2629

Item 47: Authorize (1) approval of the Deep Ellum Public Improvement District Service Plan for 2006; and (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual 2005 assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 47 be considered as an individual item. Mayor Miller stated that consent agenda item 47 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 47 was brought up for consideration.

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

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2630

Item 48: Authorize (1) approval of the Dallas Downtown Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Dallas Downtown Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2005 assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Koop requested that consent agenda item 48 be considered as an individual item. Mayor Miller stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, agenda item 48 was brought up for consideration.

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 Councilmember Medrano and unanimously adopted. (Koop abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2631

Item 49: Authorize (1) approval of the Prestonwood Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2632

Item 50: Authorize (1) approval of the South Side Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the South Side Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2005 assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2633

Item 51: Authorize (1) approval of the Uptown Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Hunt 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 Hunt's request.

Later in the meeting, agenda item 51 was brought up for consideration.

Councilmember Hunt moved to approve the item, with the following changes:

“That Exhibit C, the 2005 Assessment Plan, Exhibit C, with a revised 2005 Assessment Plan, revised Exhibit C, that clarifies that Uptown Public Improvement District will recognize and honor exemptions listed by the Dallas Central Appraisal District, including homestead, disability, senior citizen and exemptions for property owned by tax-exempt entities. Payment of the PID assessment by any exempt owners must be established by contract. No such contracts are in place, nor are any proposed.”

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2634

Item 52: Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2635

Item 53: Authorize the acceptance and implementation of the new "Strategic Engagement: Dallas' Economic Development Plan" for the Office of Economic Development - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2636

Item 54: Authorize a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the creation of City of Dallas Reinvestment Zone No. 62 located at 18325 Waterview; and at the close of the public hearing (1) consideration of an ordinance creating City of Dallas Reinvestment Zone No. 62; and (2) a real property tax abatement agreement with Prime Art and Jewel, Inc. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2637

Cedars TIF District

Note: Item Nos. 55 and 56
must be considered collectively.

Item 55: * Authorize (1) a development agreement with Presideo Investment, Inc. to provide funding for infrastructure replacement, enhancements and design costs supporting the development of Buzz, a mixed-use condominium project located at 1101-1119 S. Akard Street in Tax Increment Financing Reinvestment Zone Four (Cedars TIF District) in an amount not to exceed \$564,462 to be advanced by Presideo Investment, Inc., and reimbursed in an amount not to exceed \$564,462 plus interest in accordance with the development agreement; and (2) the establishment of appropriations in an amount not to exceed \$564,462 in the Cedars TIF District Fund - Financing: To be advanced by a private developer and reimbursed from the Cedars TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semi-annually) on the specified private funds to be repaid solely from the Cedars TIF District Fund and/or Tax Increment Bonds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2638

Cedars TIF District

Note: Item Nos. 55 and 56
must be considered collectively.

Item 56: * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse Presideo Investment, Inc. for funds advanced pursuant to a development agreement with Presideo Investment, Inc. in an amount not to exceed \$564,462 plus interest, for infrastructure replacement, enhancements and design costs supporting the development of 1101-1119 S. Akard Street in the Cedars TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2639

Item 57: Authorize (1) the application for and acceptance of grant funds from the Texas Workforce Commission in the amount of \$250,507 to provide child care subsidies for low to moderate income parents for the period October 1, 2005 through September 30, 2006, (2) a local match in an amount not to exceed \$85,172, and (3) execution of the grant agreement - Total not to exceed \$335,679 - Financing: Texas Workforce Commission Grant Funds (\$205,507) and 2005-06 Community Development Grant Funds (\$85,172)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2640

Item 58: Authorize a contract with the Department of State Health Services to continue the operations of a training center for the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2005 through September 30, 2006 - Not to exceed \$83,555 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2641

Item 59: Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2005 through September 30, 2006 - Not to exceed \$9,612,000 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2642

Item 60: Authorize a contract with the Department of State Health Services for the continuation of local health services to non-Medicaid eligible clients through Title V for the period September 1, 2005 through August 31, 2006 - Not to exceed \$65,363 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2643

Item 61: Authorize an Interlocal Agreement with Dallas County to provide a tenant-based rental assistance program for the homeless for the period October 1, 2005 through September 30, 2006 - Not to exceed \$300,000 - Financing: 2005-06 HOME Investment Partnership Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2644

Item 62: Authorize Supplemental Agreement No. 3 to the Interlocal Agreement with Dallas County to decrease the 2003-04 Housing Opportunities for Persons with AIDS grant for facility-based and scattered site housing assistance for persons with HIV/AIDS - (\$165,378), from \$3,468,440 to \$3,303,062 - Financing: 2003-04 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2645

Item 63: Authorize a public hearing under Section 214.199 of the Local Government Code to be held on October 12, 2005, to receive citizens' comments concerning an ordinance revising Chapter 15C of the Dallas City Code, to provide that the Dallas Police Department will no longer respond to any burglar alarm signal indicated by a burglar alarm system in the City of Dallas - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 63 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 63 would be considered as an individual item later in the meeting to allow citizens to speak, there being no objection voiced to the city secretary's request.

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

The following individuals addressed the city council regarding the item:

Stan Martin, 11209 New Orleans St., Frisco, representing Security Industry Alarm Coalition
Chris Russell, 3155 Grapevine, Carrollton, representing North Texas Alarm Association

Councilmember Salazar moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Fantroy abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2646

Item 64: Authorize (1) the acceptance of an Economic Development Initiative-Special Project grant agreement with the U.S. Department of Housing and Urban Development in the amount of \$298,230, (2) execution of the grant agreement, and (3) a contract with Builders of Hope Community Development Corporation in the amount of \$298,230 for the provision of affordable housing for low and moderate income families in the West Dallas areas for fiscal year 2004 -Total not to exceed \$298,230 - Financing: Economic Development Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2647

Item 65: Authorize (1) a public hearing to be held on September 28, 2005 to receive citizens' comments on an amended proposal from SouthFair Community Development Corporation, a qualified non-profit organization, to consider a change in the end use and time extension to meet the end use for development of the unimproved property located at 2614 Merlin obtained through the House Bill 110 process, and at the close of the hearing, (2) consideration of acceptance of the amended proposal - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2648

Item 66: Authorize a personal services contract with David Dean of Dean International, Inc. to provide transportation and economic development consulting services from September 9, 2005 through September 8, 2006 - Not to exceed \$340,000 - Financing: Public/Private Partnership Funds (subject to appropriations)

Councilmember Rasansky requested that consent agenda item 66 be considered as an individual item. Mayor Miller stated that consent agenda item 66 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 66 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2649

Item 67: Authorize the acceptance of a grant from the U.S. Department of Homeland Security, through its agent, Texas Governor's Division of Emergency Management, under the FY 2005 Urban Area Security Initiative to establish interoperable communications and enhance prevention and response for all hazards incidents in the City of Dallas and surrounding regions under this program for the period of January 1, 2005 through September 30, 2006 - Not to exceed \$3,490,434 - Financing: U.S. Department of Homeland Security, Texas Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2650

Item 68: Authorize the acceptance of a grant from the U.S. Department of Justice under the Community Oriented Policing Services Law Enforcement Technology Program to enhance public safety by providing laptop computers for mobile command vehicles - Not to exceed \$98,664 - Financing: U.S. Department of Justice Community Oriented Policing Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2651

Item 69: Authorize the acceptance a grant from the U.S. Department of Justice under the Community Oriented Policing Services Law Enforcement Technology Program to enhance public safety by providing mobile video recorders - Not to exceed \$246,661 - Financing: U.S. Department of Justice Community Oriented Policing Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2652

Item 70: Authorize the adoption of the National Incident Management System as the standard for managing emergency incidents in the City of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2653

Item 71: Authorize (1) rescinding the five-year Interlocal Agreement with Dallas County Schools Transportation previously authorized on April 7, 2005 by the Dallas Park and Recreation Board; and on April 27, 2005 by Resolution No. 05-1344 for transportation services from June 1, 2005 through May 31, 2010; and (2) a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities from June 1, 2005 through July 31, 2006 - Not to exceed \$152,041 - Financing: Current Funds (\$101,457) (\$64,536 subject to appropriations); 2004-05 Community Development Grant Funds (\$16,342); 2005-06 Community Development Grant Funds (\$34,242)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2654

Item 72: Authorize payment to the North Central Texas Council of Governments for Dallas' participation in the third year development of a comprehensive drainage criteria and design manual for use in both municipal engineering and private development - \$40,955 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2655

Item 73: Authorize a one-year grant agreement, with two one-year renewal options, with Groundwork Dallas Inc. to assist communities impacted by brownfields and other derelict land issues to improve their quality of life and encourage economic regeneration through the development and stewardship of park land, recreation areas, nature reserves, trail systems and other environmental improvements in accordance with the requirements of the grant agreement with the U.S. Department of Interior National Park Service Groundwork USA previously approved on April 14, 2004 by Resolution No. 04-1250 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2656

Item 74: Authorize Supplemental Agreement No. 6 to the contract with A+ Integrated Solutions, Inc. to provide on-site technical support for the implementation of the Prolog software program for management of the capital project management information system - \$90,750, from \$2,267,034 to \$2,357,784 - Financing: Current Funds (\$54,450), Aviation Capital Construction Funds (\$18,150), Wastewater Construction Funds (\$18,150)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2657

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 75-77, were presented for consideration.

- Agenda item 75: Zoning Case Z045-245 (NF)
- Agenda item 76: Zoning Case Z045-247 (MM)
- Agenda item 77: Zoning Case Z045-253 (JP)

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

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

Earl V. Johnson, II, 1524 N. Buckner Blvd, regarding zoning case Z045-245 (NF)

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

- Christopher Lyons, 8255 Barbaree, regarding zoning case Z045-245 (NF)
- Bari Larsen, 8298 Barbaree, regarding zoning case Z045-245 (NF)
- James Alexander, 8231 Barbaree, regarding zoning case Z045-245 (NF)
- Ken Boatman, 8207 Barbaree, regarding zoning case Z045-245 (NF)
- Alan Daniels, 8106 Barbaree, regarding zoning case Z045-245 (NF)
- Carol Lyons, 8255 Barbaree, regarding zoning case Z045-245 (NF)
- Frances Bagley, 8157 Barbaree, regarding zoning case Z045-245 (NF)

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

William Hopkins, 2011 Leath St.

Councilmember Chaney 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

September 14, 2005

05-2658

Item 75: Zoning Case Z045-245 (MF)

Zoning Case Z045-245 (F), a City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District, with consideration given to an R-1/2ac.(A) Single Family District on both sides of Barbaree Boulevard between St. Francis Avenue and Highland Road and an ordinance granting an R-1/2 ac(A) Single Family District.

(The city plan commission recommended approval of an R-1/2 ac.(A) Single Family District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26103.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2659

Item 76: Zoning Case Z045-247 (MM)

Zoning Case Z045-247 (MM), an application for and an ordinance granting a Planned Development District for residential, office, and retail uses, with private streets on property zoned a CS Commercial Service District and a resolution amending the existing deed restrictions on property zoned a CS Commercial Service District and a portion of Planned Development District No. 714 on the north side of Fort Worth Avenue, west of Sylvan Avenue.

(The city plan commission recommended approval, subject to a development plan and conditions, and approval of an amendment to the existing deed restrictions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26104.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2660

Item 77: Zoning Case Z045-252 (JP)

Zoning Case Z045-252 (JP), an application for and an ordinance amending Planned Development District No. 690 to remove approximately 0.26 acres from Subarea 3 to add to Subarea 2 on the north side of Stevens Hills Drive and Stevens Village Drive, north of Davis Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26105.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2661

Item 78: Public Hearing - Zoning Case Z045-219 (RB) - DALLAS INDEPENDENT SCHOOL DISTRICT

Zoning Case Z045-219 (RB), an application for and a ordinance granting a Specific Use Permit for a tower/antenna for cellular communication for a monopole cellular tower on property zoned an R-7.5(A) Single Family District on the west corner of Easton Road and Northcliff Drive.

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

Councilmember Griffith 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. (Blaydes abstain; Miller absent when vote taken)

Assigned ORDINANCE NO. 26106.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2662

Item 79: Public Hearing – Zoning Case Z045-206 (JA) - DALLAS INDEPENDENT SCHOOL DISTRICT -UNDER ADVISEMENT

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

(The city plan commission recommended approval, subject to preservation criteria. Note: This item was considered by the City Council at a public hearing on June 8, 2005, and was taken under advisement until September 14, 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 the city plan commission's recommendation.

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

Kirby Gosnell, 4411 Gilbert Ave.
Dwayne Jones, 2922 Swiss Ave., representing Preservation Dallas
Francis Ware, 4532 N. Versailles
Kitty Richie Holland, no address given

Councilmember Hunt 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)

Assigned ORDINANCE NO. 26107.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2663

Item 80: Public Hearing – Zoning Case Z045-232 (JP) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z045-232 (J), 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. Note: This item was considered by the City Council at a public hearing on August 24, 2005, and was taken under advisement until September 14, 2005, with the public hearing open.)

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 ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted.

Assigned ORDINANCE NO. 26108.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2664

MISCELLANEOUS HEARING

Preston Hollow North PID

Note: Item Nos. 81 and 82 must be considered collectively.

- Item 81: * A public hearing to receive citizens' comments concerning the creation of the Preston Hollow North Public Improvement District, (Preston Hollow North PID), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, consideration of (1) a resolution creating the Preston Hollow North PID for a period of seven years, (2) the Preston Hollow North PID Service Plan detailing supplemental security and security related services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Preston Hollow North Homeowners Association, Inc., as the management entity for the Preston Hollow North PID - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Preston Hollow North Public Improvement District:

- Janet Mann, 6605 Stichter Dr., representing Preston Hollow Homeowner **(FAVOR)**
David Chortek, 6806 Waggoner, representing Preston Hollow North Homeowners Association **(FAVOR)**
Denny Cantwell, 6606 Meadow, representing Preston Hollow North Homeowners Association **(FAVOR)**
Debor Cassen, 6830 Brookshire, representing Preston Hollow North Homeowners Association **(FAVOR)**
Patti Cody, 6131 Glendora, representing Preston Hollow North Homeowners Association **(FAVOR)**
Margo McGuire, 6714 Stichter **(FAVOR)**
Richard Anderson, 6446 Orchid Ln. **(OPPOSE)**
Steve Blankenship, 6003 Lake Hurst Ave. **(OPPOSE)**
Judith Shoup, 6723 Norway Rd. **(OPPOSE)**
Cynthia Swiatkowski, 10767 Camellia **(OPPOSE)**
John Delaney, 6507 Meadow Rd. **(OPPOSE)**
Pam Elliott, 6452 Orchid Ln. **(OPPOSE)**
Mike Jacobs, 6408 Brookshire Dr. **(OPPOSE)**
Ronald Morrill, 6707 Tulip Ln. **(FAVOR)**

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John Tiholiz, 6019 Lakehurst Ave. **(OPPOSE)**

Shirley Miller, 6039 Norway Rd. **(FAVOR)**

Nancy Sims, 6621 Stichter **(FAVOR)**

John Cody, 6131 Glendora Ave. **(FAVOR)**

Barbara Rhodes, 6720 Stichter **(OPPOSE)**

Elizabeth Babcock, 7828 Idlewood **(OPPOSE)**

David Rudale, 6222 Stichter **(OPPOSE)**

Weldon Montgomery, 6314 Stichter **(OPPOSE)**

Frances Felder, 6530 Stichter **(OPPOSE)**

Larry Reaves, 6630 Tulip

Councilmember Rasansky moved to close the public hearing, and approve agenda items 81 and 82 with the following changes:

“Approve city council resolution item number 81 creating the PHN-PID, and amend item number 82 approving the attached, proposed PHN-PID Service Plan and assessment plan (Exhibit C): changing the proposed method of assessment from a flat fee of an assessment which shall apportion the costs of the services according to the value of the property and improvements as determined by the Dallas Central Appraisal District in accordance with Section 372.015(b)(2) of the Local Government Code, the “Public Improvement District Assessment Act” (the “Act”). In accordance with the amendment, I find that a method of assessment based on the value of the property and improvements on each parcel in the proposed PHN-PID rather than a flat fee per parcel more accurately apportions the costs of the services to be provided in the district based on the benefits accruing to each property and will promote the interest of the City and confer a special benefit on a definable part of the City in accordance with Section 372.003(a) of the Act. In accordance with this finding, the resolution, the Service Plan and the proposed assessment plan are amended to reflect such change to the method of assessment, in particular, Section 2(e) of resolution shall be deleted and replaced with the following:

(e) Method of Assessment. The method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements in the District as determined by the Dallas Central Appraisal District. The proposed assessment rate for 2005 is \$0.045 per \$100 of valuation as determined by the Dallas Central Appraisal District. The proposed assessment plan is shown as Exhibit C (as amended).

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Motion seconded by Councilmember Salazar.

Councilmember Blaydes moved to substitute for Councilmember Rasansky's motion a motion to delay action on the item until the September 28, 2005 voting agenda meeting of the city council.

Motion died for lack of a second.

Councilmember Hunt moved to substitute for Councilmember Rasansky's motion a motion that notices or ballot would be sent to all property owners and that all property owners who signed the original petition for the flat tax would return the ballot if they did not want the ad valorem tax.

Motion died for lack of a second.

Councilmember Rasansky moved to amend his motion regarding the proposed assessment plan to send a letter to all property owners in the PID; to determine if 60% or more would accept the assessment of 3½% of valuation as determined by the Dallas Central Approval District on the September 28, 2005 voting agenda.

Motion seconded by Councilmember Salazar.

During the debate, Mayor Miller asked Councilmember Hunt to restate her motion.

Councilmember Hunt moved that Councilmember Rasansky would send a letter to all property owners in the PID and the property owners who signed the original petition for the flat tax rate would decide if they would support the ad valorem tax .

Motion seconded by Councilmember Oakley.

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

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

Mayor Miller declared the motion failed.

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Mayor Miller called the vote on Councilmember Ransansky's main motion, as amended:

Voting Yes: [13] Miller, Hill, Garcia, Medrano, Thornton Reese, Salazar, Chaney,
Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky

Voting No: [2] Oakley, Hunt

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2665

MISCELLANEOUS HEARING

Preston Hollow North PID

Note: Item Nos. 81 and 82 must be considered collectively.

- Item 82: * Authorize (1) Preston Hollow North Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Preston Hollow North Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Preston Hollow North Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Preston Hollow North Public Improvement District:

- Janet Mann, 6605 Stichter Dr., representing Preston Hollow Homeowner **(FAVOR)**
David Chortek, 6806 Waggoner, representing Preston Hollow North Homeowners Association **(FAVOR)**
Denny Cantwell, 6606 Meadow, representing Preston Hollow North Homeowners Association **(FAVOR)**
Debor Cassen, 6830 Brookshire, representing Preston Hollow North Homeowners Association **(FAVOR)**
Patti Cody, 6131 Glendora, representing Preston Hollow North Homeowners Association **(FAVOR)**
Margo McGuire, 6714 Stichter **(FAVOR)**
Richard Anderson, 6446 Orchid Ln. **(OPPOSE)**
Steve Blankenship, 6003 Lake Hurst Ave. **(OPPOSE)**
Judith Shoup, 6723 Norway Rd. **(OPPOSE)**
Cynthia Swiatkowski, 10767 Camellia **(OPPOSE)**

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John Delaney, 6507 Meadow Rd. **(OPPOSE)**
Pam Elliott, 6452 Orchid Ln. **(OPPOSE)**
Mike Jacobs, 6408 Brookshire Dr. **(OPPOSE)**
Ronald Morrill, 6707 Tulip Ln. **(FAVOR)**
John Tiholiz, 6019 Lakehurst Ave. **(OPPOSE)**
Shirley Miller, 6039 Norway Rd. **(FAVOR)**
Nancy Sims, 6621 Stichter **(FAVOR)**
John Cody, 6131 Glendora Ave. **(FAVOR)**
Barbara Rhodes, 6720 Stichter **(OPPOSE)**
Elizabeth Babcock, 7828 Idlewood **(OPPOSE)**
David Rudale, 6222 Stichter **(OPPOSE)**
Weldon Montgomery, 6314 Stichter **(OPPOSE)**
Frances Felder, 6530 Stichter **(OPPOSE)**
Larry Reaves, 6630 Tulip

Councilmember Rasansky moved to close the public hearing, and approve agenda items 81 and 82 with the following changes:

“Approve city council resolution item number 81 creating the PHN-PID, and amend item number 82 approving the attached, proposed PHN-PID Service Plan and assessment plan (Exhibit C): changing the proposed method of assessment from a flat fee of an assessment which shall apportion the costs of the services according to the value of the property and improvements as determined by the Dallas Central Appraisal District in accordance with Section 372.015(b)(2) of the Local Government Code, the “Public Improvement District Assessment Act” (the “Act”). In accordance with the amendment, I find that a method of assessment based on the value of the property and improvements on each parcel in the proposed PHN-PID rather than a flat fee per parcel more accurately apportions the costs of the services to be provided in the district based on the benefits accruing to each property and will promote the interest of the City and confer a special benefit on a definable part of the City in accordance with Section 372.003(a) of the Act. In accordance with this finding, the resolution, the Service Plan and the proposed assessment plan are amended to reflect such change to the method of assessment, in particular, Section 2(e) of resolution shall be deleted and replaced with the following:

(e) Method of Assessment. The method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements in the District as determined by the Dallas Central Appraisal District. The proposed assessment rate for 2005 is \$0.045 per \$100 of valuation as determined by the Dallas Central Appraisal District. The proposed assessment plan is shown as Exhibit C (as amended).

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Motion seconded by Councilmember Salazar.

Councilmember Blaydes moved to substitute for Councilmember Rasansky's motion a motion to delay action on the item until the September 28, 2005 voting agenda meeting of the city council.

Motion died for lack of a second.

Councilmember Hunt moved to substitute for Councilmember Rasansky's motion a motion that notices or ballot would be sent to all property owners and that all property owners who signed the original petition for the flat tax would return the ballot if they did not want the ad valorem tax.

Motion died for lack of a second.

Councilmember Rasansky moved to amend his motion regarding the proposed assessment plan to send a letter to all property owners in the PID; to determine if 60% or more would accept the assessment of 3½% of valuation as determined by the Dallas Central Approval District on the September 29, 2005 voting agenda.

Motion seconded by Councilmember Salazar.

During the debate, Mayor Miller asked Councilmember Hunt to restate her motion.

Councilmember Hunt moved that Councilmember Rasansky would send a letter to all property owners in the PID and the property owners who signed the original petition for the flat tax rate would decide if they would support the ad valorem tax .

Motion seconded by Councilmember Oakley.

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

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

Mayor Miller declared the motion failed.

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Mayor Miller called the vote on Councilmember Ransansky's main motion, as amended:

Voting Yes: [13] Miller, Hill, Garcia, Medrano, Thornton Reese, Salazar, Chaney,
Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky

Voting No: [2] Oakley, Hunt

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2666

Item 83: Public Hearing

A public hearing to receive citizens' comments on the proposed 74.67¢/\$100 property tax rate for the 2005-06 fiscal year - Financing: No cost consideration to the City

The city secretary read into the record the following announcement:

“The City of Dallas will set the 2005 tax rate during a meeting held on September 28, 2005. The meeting begins at 9:00 a.m. and will be in the Council Chambers of Dallas City Hall.”

The following individuals addressed the city council regarding the item:

Eli Davis, 912 Timber Dell
Jan Sanders, 7326 Malabar Ln.

Councilmember Thornton Reese moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2667

Note: Item nos. 84 and 85 must be considered collectively.

Municipal Setting Designation

- Item 84: * A public hearing to receive citizens' comments on a proposed municipal setting designation ordinance prohibiting the use of the groundwater beneath property owned by Fishburns BSF LLC located at 3208 - 3214 Ross Avenue and the adjacent public streets and alley - Financing: No cost consideration to the City
- Item 85: * An ordinance authorizing support of the issuance of a municipal setting designation to Fishburns BSF LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Revenue: \$7,500 plus the \$20 ordinance publication fee

The city secretary read the following statement into the record:

“An applicant is required to be present by the enabling ordinance at this public hearing. Will the applicant's representative please come forward and state name and relationships to applicant for the record.”

The following individuals addressed the city council regarding the item:

Stuart Jones, Trustee, Brownsfield Stewartship Fund, representing the owner of the property
David Whitten, no address given

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

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 26109.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2668

Item 86: 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)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2669

Item 87: An ordinance abandoning portions of 7 easements to the Dallas Independent School District, the abutting owner, containing a total of approximately 44,408 square feet of land located near the intersection of Holly Hill Drive and Ridgecrest Road, and authorizing the quitclaim - Revenue: \$5,000 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 Oakley moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Blaydes abstain)

Assigned ORDINANCE NO. 26110.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2670

Item 88: Authorize hardship relief for property located at 3006 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 defer the item until the September 28, 2005 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2671

Item 89: First reading of the appropriation ordinances for the proposed FY 2005-06 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Aaron Eligondo, 9415 Jill Ln.

Mack Hernandez, 14100 Montfort Dr.

Ester Davis, 2204 Millermore St., representing Dallas Cable Television

Sharon King, 115 Westshore Dr., Richardson

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2672

Closed Session

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

- Legal issues involving Associate Municipal Court Judge Tiffany Lewis
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Kenneth E. Albert et al. v. City of Dallas, Cause No. CV-199-697-94
- David R. Barber et al. v. City of Dallas, Cause No. CV-199-624-95
- Anthony Arredondo et al. v. City of Dallas, Cause No. CV-199-1743-99
- David S. Martin et al. v. City of Dallas, Cause No. 1-95-506
- George G. Parker et al. v. City of Dallas, Cause No. 1-95-107
- Kevin Michael Willis et al. v. City of Dallas, Cause No. CV-199-200-95-B

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.)

- Legal issues involving Associate Municipal Court Judge Tiffany Lewis
- Kenneth E. Albert et al. v. City of Dallas, Cause No. CV-199-697-94
- David R. Barber et al. v. City of Dallas, Cause No. CV-199-624-95
- Anthony Arredondo et al. v. City of Dallas, Cause No. CV-199-1743-99
- David S. Martin et al. v. City of Dallas, Cause No. 1-95-506
- George G. Parker et al. v. City of Dallas, Cause No. 1-95-107
- Kevin Michael Willis et al. v. City of Dallas, Cause No. CV-199-200-95-B

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2673

Addendum addition 1: Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for the electrical and mechanical design and construction administration services for the Police and Fire Department computer aided dispatch consoles at City Hall located at 1500 Marilla - \$50,800, from \$18,500 to \$69,300 - Financing: 2003 Urban Area Security Initiative II Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2674

Addendum addition 2: Authorize settlement of the lawsuit styled Bernadine Thompson v. City of Dallas, Civil Action No. 3:04-CV-1147-G - \$800,000 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2675

Addendum addition 3: Authorize a two-month extension to the contract with Ward North America L.P. for workers' compensation and third party liability claims administration and related cost containment services for a period not to exceed 2 months from October 1, 2005 to November 30, 2005 - Not to exceed \$457,167, from \$13,921,812 to \$14,378,979 - Financing: Workers' Compensation Current Funds (subject to appropriations)

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Fantroy.

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

Voting Yes: [12] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Koop, Rasansky, Hunt

Voting No: [3] Griffith, Blaydes, Natinsky

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2676

Addendum addition 4: Authorize a sixty-month service contract for workers' compensation and third party liability claims administration and related cost containment services for the period of December 1, 2005 through November 30, 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 following individuals addressed the city council regarding the item:

Catherine Benavidez, 4100 Midway Rd., Carrollton, representing Injury Management Organization

Tom Veale, 100 Oceangate, Long Beach, CA, representing Tristar Risk Management

Theresa Delbou, 5012 Rangewood Dr., Flower Mound (**OPPOSE**)

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Fantroy.

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

Voting Yes: [12] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Koop, Rasansky, Hunt

Voting No: [3] Griffith, Blaydes, Natinsky

Mayor Miller declared the motion adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 14, 2005

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 14, 2005

05-2580

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]

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 14, 2005

05-2593

Item 11: Authorize (1) a contract for environmental remediation and selective demolition of 1200 Main Street with Certified/LVI Environmental Services, Inc., lowest responsible bidder of three, in an amount not to exceed \$3,868,400; (2) assignment of the construction contract to LB 1200 Main LP for construction management; and (3) payment to LB 1200 Main LP in an amount not to exceed \$881,600 for design, reimbursables and construction management - Total not to exceed \$4,750,000 - Financing: City Center TIF District Funds

~~Approved as part of the consent agenda.~~

The city secretary announced that the city manager had deleted consent agenda item 11 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.