

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 12, 2005

05-2890

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 9:28 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 3:59 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 12, 2005

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 12, 2005

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2891

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: Hardy E. Pickett, Jr.
SUBJECT: Restoration: Demolition

SPEAKER: Edna Pemberton, 9438 Sophora Dr.
REPRESENTING: Quick Response – Concord
SUBJECT: Work well done on evacuees

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Jimmy Walker, 6504 Joyce Way
SUBJECT: 1924 Main Street historical tax abatement

SPEAKER: Albert Parker, 6318 Elam Rd.
REPRESENTING: John Q. Public
SUBJECT: All Agenda Items

MICROPHONE - END OF MEETING:

SPEAKER: Kenneth Lampton, 6014 Llano Ave.
SUBJECT: Neighborhood Stabilization Overlay

MICROPHONE – END OF MEETING – SPOKE IN LAST 30 DAYS:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Civil rights violations against, DPD, DISD, Wilmer Hutchins
superintendent

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2892

Item 1: Approval of Minutes of the September 28, 2005 City Council Meeting

Councilmember Rasansky 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

October 12, 2005

05-2893

CONSENT AGENDA.

The consent agenda, consisting of agenda items 2-49 and addendum addition consent agenda items 1-6, were presented for consideration.

Councilmember Rasansky requested that consent agenda items 16, 24, 27, 29 and 43 be considered as individual items. Mayor Miller stated that consent agenda items 16, 24, 27, 29 and 43 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky 's request.

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

Councilmember Oakley requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Oakley's request.

Councilmember Chaney 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 Chaney's request.

Councilmember Griffith requested that addendum addition 6 be considered as an individual item. Mayor Miller stated that addendum addition 6 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griffith's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 16, 20, 24, 27, 29, 34, 37 and 43 and addendum addition item 6 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2894

Item 2: Authorize a professional services contract with Halff Associates, Inc. for surveying services, master planning, construction documents and construction administration services at White Rock Creek Greenbelt trail from Northwest Highway to Valley View Park - \$61,465 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2895

Item 3: Authorize a professional services contract with Brown, Reynolds, Watford Architects, Inc. for preparation of a master plan for the Trinity River Sam Houston Springs property located at 1200 Pemberton Hill - \$70,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2896

Item 4: Authorize a contract for the installation of storm water interceptors at the Southwest Service Center located at 2411 Valleria Street and the Southeast Service Center located at 2761 Municipal Street - Goldsmith Construction Company, lowest responsible bidder of four - \$226,262 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2897

Item 5: Authorize a contract for site improvements including a playground, site furnishings and Americans with Disabilities Act access at Bickers Park located at 1400 Bickers - A S Con., Inc., lowest responsible bidder of four - \$167,700 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2898

Item 6: Authorize a contract for the construction of a parking lot addition for the athletic complex at Kiest Park, Phase II located, at 3080 South Hampton Road - Riverway Contractors and Management, Inc., lowest responsible bidder of six - \$247,227 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2899

Item 7: Authorize (1) a contract for the construction of the terminal apron repairs at Dallas Love Field with Gibson & Associates, Inc., lowest responsible bidder of four, in an amount not to exceed \$1,848,662, and (2) the establishment of appropriations in an amount not to exceed \$2,519,528 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Total not to exceed \$1,848,662 - Financing: Aviation Capital Construction Funds (\$462,166), Federal Aviation Administration Airport Improvement Grant Funds (\$1,386,496)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2900

Item 8: Authorize an increase in the contract with Jeske Construction Company for additional trail improvements and bridge rail modifications at Katy Trail, Phase II - \$215,098, from \$1,978,483 to \$2,193,581 - Financing: Cityplace TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2901

East Dallas VeloWay Phase I
(Tenison Trail)

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

- Item 9: * Authorize (1) Supplemental Agreement No. 1 to the contract with Carter & Burgess, Inc. to provide additional engineering and environmental services for bicycle and pedestrian enhancements on Phase I of the East Dallas VeloWay (Tenison Trail) from Winsted Drive to Glasgow Street in the amount of \$212,550, from \$156,113 to \$368,663, (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$170,040; and, (3) an increase in appropriations in the amount of \$170,040 in the Capital Projects Reimbursement Fund - Total not to exceed \$212,550 - Financing: 2003 Bond Funds (\$42,510), Texas Department of Transportation Funds (\$170,040)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2902

East Dallas VeloWay Phase I
(Tenison Trail)

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

- Item 10: * Authorize Supplemental Agreement No. 1 to the Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design and construction of Phase I of the East Dallas VeloWay (Tenison Trail) from Winsted Drive to Glasgow Street to amend the project scope and transfer project responsibilities - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2903

East Dallas VeloWay Phase I
(Tenison Trail)

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

- Item 11: * Authorize a License Agreement with Dallas Area Rapid Transit for the joint use of the right-of-way on the Southern Pacific rail corridor for bicycle and pedestrian enhancements on Phase I of the East Dallas VeloWay (Tenison Trail) from Winsted Drive to Glasgow Street - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2904

Item 12: Authorize the rejection of bids received for the asbestos abatement at the Polk-Wisdom Library located at 7151 Library Lane and the re-advertisement for new bids -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2905

Item 13: Authorize a thirty-year lease agreement, with one ten-year renewal option, with ExecHangar RBD LC for approximately 3.2 acres of unimproved land at Dallas Executive Airport - Estimated Annual Revenue: \$18,404

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2906

Item 14: A resolution authorizing the conveyance of 4 drainage easements containing a total of approximately 1,665 square feet of land to the City of Garland for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Chaha Road and Marvin Loving Drive - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2907

Item 15: A resolution authorizing a reduction of the minimum bid requirement from \$38,000 to \$19,000 for an unwanted and unneeded tract of City-owned land containing approximately 33,403 square feet located at the intersection of Fireside Drive and Prairie Creek Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2908

Item 16: A resolution authorizing a reduction of the minimum bid requirement from \$980,000 to \$500,000 for an unwanted and unneeded tract of City-owned property improved with the Southern Skates Skating Rink, containing approximately 87,367 square feet of land located near the intersection of Ledbetter Drive and Sunnyvale Street - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 16 be considered as an individual item. Mayor Miller stated that consent agenda item 16 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 16 was brought up for consideration.

Councilmember Fantroy moved to defer the item for 60 days.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2909

Item 17: A resolution authorizing a reduction of the minimum bid requirement from \$462,000 to \$325,000 for an unwanted and unneeded tract of City-owned land containing approximately 76,918 square feet located near the intersection of Wheatland and Clark Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2910

Item 18: A resolution authorizing the sale of approximately 7,391 square feet of City-owned land adjacent to North Houston Street between the Dallas North Tollway and Hi Line Drive to the only bidder, Anland 2A, L.P. - Revenue: \$134,212

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2911

Item 19: A resolution authorizing the sale of approximately 12,202 square feet of unwanted and unneeded City-owned land located at the intersection of Pennsylvania Avenue and US Highway 175 to the highest bidder, Franklin Harris - Revenue: \$15,100

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2912

Item 20: A resolution declaring approximately 32,229 square feet of City-owned land unwanted and unneeded located near the intersection of Winding Creek Road and Schafer Street and authorize its advertisement for sale by sealed bids with a minimum bid of \$200,000 - Financing: No cost consideration to the City

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

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

Councilmember Natinsky moved to defer the item until the October 26, 2005 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2913

Item 21: A resolution authorizing the sale of approximately 6,843 square feet of unwanted and unneeded City-owned land located at the intersection of Poplar Street and Waldron Avenue to the only bidder, Maria Hicks - Revenue: \$10,160

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2914

Item 22: A resolution authorizing the sale of approximately 10,101 square feet of unwanted and unneeded City-owned land located at the intersection of Starbuck Drive and Hillcrest Road to the highest bidder, I. Mazal Hagaj - Revenue: \$10,555

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2915

Item 23: Authorize an environmental deed restriction prohibiting exposure to and the use of groundwater without the express written pre-approval of the State of Texas under a portion of Marsh Lane containing approximately 29,764 square feet of land near its intersection with Forest Lane, subject to the application for and receipt of an Innocent Landowner Certificate in favor of the City for the affected site from the Texas Commission on Environmental Quality - Revenue: \$37,700

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2916

Item 24: Authorize the fourth and final year of the contract with Deloitte Consulting Outsourcing, LLC, in association with Lawson Associates, Inc., Kronos Incorporated and Business Software, Inc., to provide the annual hosting and maintenance for the Human Resources Information System - Not to exceed \$1,034,369, from \$9,870,533 to \$10,904,902 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 24 was brought up for consideration.

Councilmember Rasansky moved to defer the item for 60 days.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2917

Item 25: Authorize a twenty-four-month master agreement to provide infant care products for women, infants and children in the Women, Infants and Children program with the only bidder - eBusiness Services - Not to exceed \$119,400 - Financing: Texas Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2918

Item 26: Authorize an increase in the contract with United Elevator Service to provide the modernization of two elevators at Union Station - Not to exceed \$244,175, from \$2,453,547 to \$2,697,722 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2919

Item 27: Authorize a twenty-four-month professional services contract to provide investment strategy services with the most advantageous proposer of five - First Southwest Asset Management, Inc. - Not to exceed \$80,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 27 be considered as an individual item. Mayor Miller stated that consent agenda item 27 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 27 was brought up for consideration.

Councilmember Rasansky moved to defer the item for 30 days.

Motion died due to lack of a second.

Councilmember Fantroy moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

Voting Yes:	[10]	Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Hunt
Voting No:	[4]	Miller, Koop, Natinsky, Rasansky
Absent when vote taken:	[1]	Hill

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2920

Item 28: Authorize a twenty-four-month service contract for the installation of traffic components with the lowest responsible bidder of two - Durable Specialties, Inc. - Not to exceed \$3,780,000 - Financing: Current Funds (\$600,000), 2003 Bond Funds (\$3,180,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2921

Item 29: Authorize a thirty-six-month master agreement for liquid carbon dioxide, rental of chemical tanks and maintenance of existing tanks with the only bidder - BOC Gases - Not to exceed \$1,297,500 - Financing: Water Utilities Current Funds

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 Thornton Reese moved to approve the item.

Motion seconded by Councilmember Fantroy.

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".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2922

Item 30: Authorize Supplemental Agreement No. 1 to the professional services contract with Economists.com in connection with the lawsuit styled City of Dallas, Texas v. Hanover Insurance Company, Cause No. 04-11911-G - Not to exceed \$25,000, from \$50,000 to \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2923

Item 31: Authorize settlement of the lawsuit styled Jamie L. Patterson v. Donald M. Lehman and City of Dallas, Cause No. CC-05-02936-C - \$6,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2924

Item 32: Authorize Supplemental Agreement No. 7 to the contract with the Dallas Convention and Visitors Bureau to promote the City of Dallas and the North Texas area as a location for the production of motion pictures, and television films - \$200,000 - Financing: Convention and Event Services Current Funds (\$140,000) and Current Funds (\$60,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2925

Item 33: An ordinance amending Chapter 42A and repealing Chapter 35 of the Dallas City Code to (1) provide portable restroom requirements for special events; (2) provide for recovery of the City's cost of installing no parking signs and traffic control devices for special events; (3) revise the fee structure for special events involving commercial filming activities; (4) provide additional insurance requirements for special events; (5) expand the grounds for denial and revocation of special event permits; (6) regulate events on City Hall Plaza as special events; and, (7) make certain nonsubstantive changes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26136.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2926

Item 34: An ordinance creating a new subdistrict for townhouse uses on property within Subarea A of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, located on the north side of Greenbriar Lane, west of Zang Boulevard and a resolution accepting deed restrictions volunteered by the applicant - Z034-301(WE) - Financing: No cost consideration to the City

Councilmember Oakley requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Oakley's request.

Later in the meeting, agenda item 34 was brought up for consideration.

Councilmember Oakley moved to hold the ordinance under advisement to the October 26, 2005 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2927

Item 35: Authorize assignment of the real property tax abatement agreement, previously approved on November 13, 1996, by Resolution No. 96-3643 to MM Industrial Stoneridge I LP, which has agreed to assume all of the terms and conditions outlined in the agreement for property at 8801 Autobahn (Stoneridge #7) and 8701 Autobahn (Stoneridge #8) in accordance with the terms of the agreement - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2928

Item 36: Authorize an amendment to Resolution Nos. 03-3385 and 03-3386 previously approved on December 8, 2003, as amended, to change the name of the contracting party from Ervay Residential Partner, Inc., to Ervay Residential Limited Partnership for the redevelopment of Republic Center Tower I located at 300 Ervay Street, located in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2929

Item 37: Authorize (1) a public hearing to be held on October 26, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Grand Park South area (Grand Park South TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, (2) consideration of an ordinance creating the Grand Park South TIF District - Financing: No cost consideration to the City

Councilmember Chaney 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 Chaney's request.

Later in the meeting, agenda item 37 was brought up for consideration.

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

Councilmember Blaydes moved to pass the ordinance.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2930

Item 38: Authorize (1) a public hearing to be held on October 26, 2005 to receive citizens' comments to consider the creation of a tax increment financing reinvestment zone for the Skillman Corridor area (Skillman Corridor TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, (2) consideration of an ordinance creating the Skillman Corridor TIF District - Financing: No cost consideration to the City

Approved as approved of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2931

Item 39: Authorize a twelve-month contract, with two twelve-month renewal options, with Phoenix Houses of Texas, Inc. for outpatient substance abuse treatment services for low-income and uninsured adolescents for the period October 1, 2005 through September 30, 2006 - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2932

Item 40: Authorize (1) the acceptance of a grant from the U.S. Department of Homeland Security under the 2005 Assistance to Firefighters Grant for the purchase of specialized rescue equipment, training of members to the appropriate level, and the purchase and installation of interoperable communications equipment in the amount of \$1,318,912; and, (2) the City's share in the amount of \$329,728 - Total not to exceed \$1,648,640 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds (\$1,318,912), Current Funds (\$329,728)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2933

Item 41: Authorize the payment of certification and testing fees to the Texas State Commission on Fire Protection for the appropriate certification levels of each uniformed Fire Department employee - Not to exceed \$43,125 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2934

Item 42: Authorize a two-year contract with El Centro Community College for reimbursement of Fire Department training costs from September 1, 2005 to August 31, 2007 - Revenue: \$350,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2935

Item 43: Authorize (1) exercise of the second and final twelve-month renewal option to the professional services contract with The Enterprise Foundation, Inc. in the amount of \$5,959,401 (\$5,409,401 program loan funds and \$550,000 administration/direct project funds) to provide financial services and administration of the Mortgage Assistance Program (MAP) for FY 2005-06, and (2) an amendment to the MAP Program Statement homebuyer subsidy amounts - Financing: 2005-06 Community Development Grant Funds (\$300,000), 2005-06 HOME Funds (\$5,300,000), 2005-06 American Dream Downpayment Initiative Funds (\$359,401)

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 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 43 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

October 12, 2005

05-2936

Item 44: Authorize the reconstruction on-site of three homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1963 McBroom Street in the amount of \$70,000, 2612 Stephenson Drive in the amount of \$70,000, and 2338 Lowery Street in the amount of \$70,000 - Total not to exceed \$210,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2937

Item 45: Authorize the preparation of plans for the issuance of \$187,235,000 in General Obligation Bonds, Series 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2938

Item 46: Authorize the preparation of plans for the issuance of \$54,560,000 in Equipment Acquisition Contractual Obligations, Series 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2939

Item 47: Authorize the preparation of plans for the issuance of \$6,320,000 in Combination Tax and Revenue Certificates of Obligation, Series 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2940

Item 48: Authorize the renewal of the Interlocal Agreement with the Richardson Independent School District for campus-based school liaison services at Westwood Junior High School located at 7630 Arapaho Road, Lake Highlands High School located at 9449 Church Road, and Forest Meadow Junior High School located at 9373 Whitehurst Drive for the period August 15, 2005 through July 31, 2006 - Estimated Annual Revenue: \$136,400

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2941

Item 49: Authorize (1) the acceptance of the Sexual Assault/Stalking/4 Training grant from the Office of the Governor, Criminal Justice Division in the amount of \$45,000, for the period September 1, 2005 through August 31, 2006, to provide specialized training to detectives who investigate sexual assault and stalking offenses, (2) a local match in the amount of \$15,000, and (3) execution of the grant agreement - Total not to exceed \$60,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$45,000) and Current Funds (\$15,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2942

Item 50: MISCELLENOUS HEARING

A public hearing under Section 214.199 of the Local Government Code 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

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 ordinance:

John Wiley Price, 406 E. Fifth St.
Jim Forster, 1408 Winding Brook Cir.
James Flurino, 2638 Burlington Blvd.
David Cronk, 4309 Irving Ave..
Inez Martinez, 4520 Via San Antonio
Patsy Wallace, 2806 Highwood Dr.
Christopher Geymuller, 6812 Midcrest Dr.
Rafael Sustaita, 709 S. Beacon St.
Sheila Archie, 12352 Ferris Creek Ln.
Scott Hunter, 2825 W. Twelfth St.
Hank Silver, 10434 Shadow Ben Dr.
Radford Field, 13222 Rolling Hills
Larry Davis, 4023 Fair Lakes
Craig Merrell, 6019 Ridgecrest Dr.
Geraldine Brown, 1623 Pine St.
James Heath, 1115 Clermont
Jim Albright, 3869 Cedar Brush
Maridel Hoagland, 7184 Kendallwood Dr.
John Hoagland, 7184 Kendallwood Dr.
David Sanders, 823 Timber Dell Ln.
Laura Ainsworth, 4526 Reiger Ave.
Pat Reeder, 4526 Reiger Ave.
Louise Ross, 3227 Spring View
Brent Sonntag, 3223 Lockmoor
Richard Vincent, 3430 June Dr.
Leslie Cato, 926 Highfall Dr., representing Calvary Temple Church
Sandy Graham, 4203 Junius St.
Charles O'Neal, 4811 Dove Creek Way
Kevin Koriath, 3866 Vinecrest
Frank McGinn, 9518 Brentgate Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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Mary Jansen, 5007 Everglade Rd.
Richard Becker, 13132 Halwin Cir.
Brant Pierce, 3750 Cripple Creek
Tim Dickey, 3134 Lockmoor Ln.
Kathleen Cianciola, 10616 Ferndale Rd.
Mattie Wisner, 4807 Elena St.
Walter Roberts, 1324 Canterbury Ct.
Pauline Dixon, 11924 Oberlin Dr.
William Freeman, 13815 Kleberg Rd.
Laura Covey, 3007 Cliff Creek
William Garey, 101 Circle Dr., Arlington
Todd Leggett, 315 Trimble Ln., Berwyn, PA, representing Sonitrol
Stan Martin, 11209 New Orleans Dr., Frisco, representing Security Industries Alarm Coalition
Keith Jentoft, 202 E. Golden Lake Cir, Pines, MN, representing RSI Alarm
Dave Simon, 2120 Lakeridge, Grapevine
Mark Peck, 720 West Oak Cir., Francis, UT
Shannan Werner, 4617 S. 3729 West, Salt Lake City, UT
Matthew Moriarty, 434 Arborcreek Dr., Euless
Chris Russell, 3115 Grapevine, Carrollton, representing North Texas Alarm Association
Dan Hernandez, 8006 Prestonwick Ct., Rowlett

Councilmember Rasansky moved to continue the hearing on the October 26, 2005 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2943

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 51-52, were presented for consideration.

Agenda item 51 was removed from the consent zoning docket, to be considered as an individual hearing.

~~Agenda item 51: Zoning Case Z045-233 (RB)~~ **[Considered individually]**
Agenda item 52: Zoning Case Z045-259 (JA)

In the zoning case 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.

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission in the consent zoning case and pass the ordinance, subject to a development plan and conditions and deed restrictions submitted by the applicant as presented as part of the consent zoning docket.

Motion seconded by Councilmember Hunt and unanimously adopted. (Miller, Rasansky absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2944

Item 51: Zoning Case Z045-233 (RB)

The consent zoning docket, consisting of agenda items 51-52, was presented.

Councilmember Koop requested that consent zoning docket item 51 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 51 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Koop's request.

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

A public hearing was called on zoning case Z045-233 (RB), an application for and an ordinance granting an amendment to the conceptual plan and conditions for Planned Development District No. 143 for Office uses and a Plant nursery on LBJ Freeway and Valley View Lane, northwest corner.

(The city plan commission recommended approval, subject to a new conceptual plan (Conceptual Plan B), a revised existing conceptual plan (Conceptual Plan A), and revised conditions.)

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

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

Kirk Williams, 5400 Renaissance Tower, representing the applicant
Michael Jung, 4300 Bank of American Plaza

Councilmember Koop moved to close the public hearing, accept the recommendation of the city plan commission for the approval of amendments to Planned Development District Number 143 to allow a private school with the following changes:

1. Add a definition of proposed Covenant Drive.
2. Clarify that Section 51P-143.106, "Phase I, Existing Development" related to the existing nursery was not intended to be removed, but that this section only applies to uses other than a private school use.
3. Amend Section 51P-143.113 (c) to read as follows:
The Park Central Expansion located on the Property and the street improvements in Subsections (a) and (b) must be provided by the owner of the Property at no cost to the city if the construction is necessitated by and attributable to the new development on the Property" and pass the ordinance.

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

Assigned ORDINANCE NO. 26137.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2945

Item 52: Zoning Case Z045-259 (JA)

Zoning Case Z045-259 (JA), a Landmark Commission authorized hearing to consider removal of Historic Overlay No. 57 for the Ross Avenue Baptist Church on property zoned a CR Community Retail District on the north corner of Ross Avenue and Moser Avenue and an ordinance granting the removal of the Historic District Overlay.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26138.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2946

Item 53: Zoning Case Z045-224 (WE) - DALLAS INDEPENDENT SCHOOL DISTRICT

A public hearing was called on zoning case Z045-224 (WE), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the northeast side of Malcolm X Boulevard, southeast of Hatcher Street.

(The city plan commission recommended approval, for a ten-year period with 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.

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

John Rooney, 2618 Woods Ln., Garland, representing the applicant

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

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

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

Assigned ORDINANCE NO. 26139.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2947

Item 54: Public Hearing - Zoning Case Z023-179 (MM)

A public hearing was called on zoning case Z023-170 (M), an application for and an ordinance granting the expansion of and amendment to Specific Use Permit No. 85 for a Cemetery on property zoned MF-2(A) Multifamily District with Specific Use Permit No. 85 on Lombardy Lane, west of Webb Chapel Road and east of Porter Street .

(The city plan commission recommended approval, subject to a site plan. Note: This item was considered by the City Council at public hearings on May 28, June 25, August 13, September 10, November 12, 2003 and June 23 and October 13, 2004, and was taken under advisement until October 12, 2005, with the public hearing open.)

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

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

Councilmember Salazar moved to refer the ordinance back to the city plan commission.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2948

Item 55: Public Hearing - DEVELOPMENT CODE AMENDMENTS

A public hearing was called on consideration of an amendment to Chapter 51 of the Dallas Development Code to establish Handicapped Group Dwelling Unit & Group Residential Facility uses to be consistent with the use provisions of Chapter 51A and an ordinance implementing the amendment.

(The city plan commission recommended approval.)

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

Councilmember Medrano 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. (Miller, Rasansky absent when vote taken)

Assigned ORDINANCE NO. 26140.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2949

Note: Item Nos. 56, 57, and 58
must be considered collectively.

Reinvestment Zone No. 61

- Item 56: * A public hearing to receive citizens' comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 61, incorporating property at 9314 W. Jefferson Boulevard, for the purpose of granting a business personal property tax abatement to Vought Aircraft Industries, Inc. - Financing: No cost consideration to the City
- Item 57: * An ordinance designating property at 9314 W. Jefferson Boulevard, as City of Dallas Reinvestment Zone No. 61, for the purpose of granting a business personal property tax abatement to Vought Aircraft Industries, Inc., establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

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

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

Assigned ORDINANCE NO. 26141.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2950

Note: Item Nos. 56, 57, and 58
must be considered collectively.

Reinvestment Zone No. 61

Item 58: * Authorize a business personal property tax abatement agreement with Vought Aircraft Industries, Inc. for the purpose of granting a ten-year abatement of 75 percent of the taxes on added value to the business personal property at 9314 W. Jefferson Boulevard - Revenue: First year tax revenue estimated at \$134,350; Ten-year tax revenue estimated at \$1,343,500; (Estimated revenue foregone for ten-year business personal property abatement is \$5,600,250)

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2951

Item 59: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2005-2007 board term updated through October 12, 2005.

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

Deputy Mayor Pro Tem Garcia moved to appoint Susan Oakey, General Public, to the Animal Shelter Commission, Phillip Collins, Interested Citizen, Jill Kotvis, Interested Citizen, and Laura Estrada, Interested Citizen, to the Cultural Affairs Commission, Gabriel Sota, Citizen-At-Large, and Don Herrin, Jr., Retail/Marketing, to the Commission on Productivity and Innovation, Jesse Tafalla, Geraldine Powell Brown, and Ester Davis, to the Senior Affairs Commission, and Samuel Keleman Gillespie, Dallas Academy, to the Youth Commission.

Motion seconded by Councilmember Medrano and unanimously adopted.

Councilmember Chaney moved to appoint Kreg Bartley, Citizen-At-Large, Willie Mae Coleman, Resident of the South Dallas Fair Park, and Jessica R. Dixon, Citizen-At-Large, to the South Dallas/Fair Park Trust Fund Board.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

Councilmember Thornton Reese moved to appoint all the nominees to "individual" positions in the report who meet all qualifications for service to the boards and commissions of the city for the terms ending August 31, 2007.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-2951

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

05-2971 ASC ANIMAL SHELTER COMMISSION
05-2972 BOA BOARD OF ADJUSTMENT
05-2973 CAC CULTURAL AFFAIRS COMMISSION
05-2974 CDC COMMUNITY DEVELOPMENT COMMISSION
05-2975 CPC CITY PLAN AND ZONING COMMISSION
05-2976 CPI COMMISSION ON PRODUCTIVITY AND INNOVATION
05-2977 CPR DALLAS CITIZENS POLICE REVIEW BOARD
05-2978 CSX CIVIL SERVICE BOARD ADJUNCT MEMBERS
05-2979 PAR PARK AND RECREATION BOARD
05-2980 SAC SENIOR AFFAIRS COMMISSION
05-2981 SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD
05-2982 YAC YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2952

Item 60: Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of W. Northwest Highway, from Stemmons Freeway to Mixon Drive until December 30, 2005 - Financing: No cost consideration to the City (Requires a 3/4 vote of the full City Council for approval)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2953

Item 61: Authorize (1) the issuance of tax-exempt bonds by Housing Options, Inc., an agency created by the Dallas Housing Authority of the City of Dallas in the amount of \$9,500,000 in Multifamily Housing Mortgage Revenue Bonds Series 2005 to finance the new construction of 116 units for families by Mill City Frazier, L. P. Project; and, (2) a resolution in support of the Texas Department of Housing and Community Affairs award of Low Income Housing Tax Credits for the new construction of Mill City Parc housing development to be located at 4848 Hatcher - Financing: No cost consideration to the City

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

Councilmember Thornton Reese moved to approve the item, with the following changes:

“That the city council approve a modification to Agenda Item 61, Section 3, to delete the following wording: and (3), if the LURA does not require the social services expenditures to be made prior to the debt service payment, a separate guarantee by an entity or individual acceptable to the City that the social services expenditure will be made.

Explanation

DHA, like the city is prohibited from providing any guarantee on a project. This requirement is however, applicable to all other developers on their project developments.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2954

Closed Session

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

- Dallas Independent School District v. Calvary Hill Cemetery, et al.,
No. cc-03-9682-d/c (if necessary)

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2955

Addendum addition 1: Authorize an increase in the contract with Rodman Excavation, Inc., for the construction of closure and restoration activities at the Deepwood Loop 12 Landfill for increased quantity of overruns for waste removal/reallocation, backfill/grading, and the proposed installation of an additional landfill gas migration control system - \$1,676,486, from \$12,337,899 to \$14,014,385 - Financing: 2003 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2956

Addendum addition 2: Authorize Supplemental Agreement No. 4 to the contract with HBC/Terracon for additional environmental consulting and engineering services related to the Deepwood Loop 12 Landfill - \$739,600, from \$2,568,609 to \$3,308,209 - Financing: 2003 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2957

Note: Item Nos. 3, 4, and 5 must
be considered collectively.

1407 Main and 1414 Elm

Addendum addition 3: * Authorize amendments to the construction loan documents with DCAR Properties, Ltd., previously approved on October 13, 2004, by Resolution No. 04-2967 for the construction of a mixed used retail, parking, and residential development located at 1407 Main Street, to (1) accept loan pre-payment and a reduction of the City's portion of the loan in an amount not to exceed (\$1,800,000), from \$6,375,000 to \$4,575,000, (2) execute a release of lien on the retail component of the 1407 Main Street project, and, (3) extend the project completion date from June 30, 2006 to December 31, 2007
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2958

Note: Item Nos. 3, 4, and 5 must
be considered collectively.

1407 Main and 1414 Elm

Addendum addition 4: * Authorize (1) a Chapter 380 grant agreement with Elm 1414 Properties, Ltd. for the redevelopment of 1414 Elm Street in an amount not to exceed \$1,800,000, and (2) the establishment of appropriations in an amount not to exceed \$1,800,000 - Total not to exceed \$1,800,000 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2959

Note: Item Nos. 3, 4, and 5 must
be considered collectively.

1407 Main and 1414 Elm

Addendum addition 5: * Authorize an amendment to the Interlocal Agreement with Dallas County, previously approved on October 22, 2003 by Resolution No. 03-2885, to delete the pro rata sharing requirement for any repayment of the loan with DCAR Properties, Ltd. for a public, short-term parking garage located at 1407 Main Street in the City of Dallas Main Street District Initiative Loan and Grant Program area - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2960

Addendum addition 6: Authorize a public hearing to be held on October 26, 2005 to receive citizens' comments regarding (1) the transfer of the cable television franchise from Comcast Cable of Dallas, Inc. to C-Native Exchange III, LP; and, (2) and the transfer of control from Comcast Cable of Dallas, Inc. to Time Warner Cable, Inc. - Financing: No cost consideration to the City

Councilmember Griffith requested that addendum addition 6 be considered as an individual item. Mayor Miller stated that addendum addition 6 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, addendum addition 6 was brought up for consideration.

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

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2961

Addendum addition 7: Public Hearing – Zoning Case Z045-220 (RB)

A public hearing was called on zoning case Z045-220 (RB), an application for and an ordinance granting a Planned Development District for Single Family Uses, Private streets, and an Accessory community center (private) use on property zoned an A(A) Agricultural District on the southwest corner of Clark Road and Panavision Trail and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.

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

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

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

Jonathan Vinson, 901 Main St., representing the applicant

Councilmember Oakley moved to close the public hearing, accept the recommendation of the city plan commission for approval of a planned development district with the following change:

“The inner loop drive shown on the conceptual plan must be a private street meeting the minimum standards of a 40-foot-wide right-of-way in the location shown on the conceptual plan, and a pavement width of 22 feet; with an ordinance and an avigation easement, release, indemnification, and disclosure agreement offered by the applicant to come back on the miscellaneous agenda at a later date.”

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2962

Addendum addition 8: Authorize (1) termination of the contract with Humana Insurance Company for claims processing administration, Preferred Provider Organization network access, utilization review, large-case management, 24-hour nurse line service, prescription drug services, COBRA and Flexible Spending Account administration, effective December 31, 2005, and (2) a forty-eight-month contract, with two twelve-month renewal options, for claims processing administration, Preferred Provider Organization network access, utilization review, large-case management, 24-hour nurse line service, prescription drug services, COBRA and Flexible Spending Account administration with the most advantageous proposer of six - United HealthCare of Texas, Inc. - Not to exceed \$13,662,546 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2963

Addendum addition 9: A motion to reconsider Agenda Item No. 17 previously approved on September 28, 2005, which authorizes the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersection of South Boulevard and Trunk Avenue, Grand and Trunk Avenues and Birmingham and Trunk Avenues - Financing: No cost consideration to the City

Note: If Addendum Item No. 9 passes, Council will consider Addendum Item No. 10.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Miller, Chaney, Griffith, Natinsky, Rasansky absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 12, 2005

05-2964

Addendum addition 10: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersection of South Boulevard and Trunk Avenue, Grand and Trunk Avenues and Birmingham and Trunk Avenues - Financing: No cost consideration to the City

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

Councilmember Thornton Reese moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 12, 2005

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS