

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 26, 2005

05-3020

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

PRESENT: [14] Miller, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney,  
Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt  
ABSENT: [1] Hill

The meeting was called to order at 9:22 a.m.

The city secretary announced that a quorum of the city council was present.

Mayor Miller asked all members of the city council and the audience to stand for a moment of silence.

The city council and the audience led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 7:07 p.m.

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Mayor

ATTEST:

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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 26, 2005

EXHIBIT A

12/14/2005 10:11 AM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 26, 2005

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3021

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: Rich Sheridan, 3022 Forest Ln.  
SUBJECT: Dallas is – Homeless, Truth or Consequences

SPEAKER: Roy Williams, 5881 Prestonview Blvd.  
SUBJECT: 14-1 vs Blackwood II

SPEAKER: Ozumba O. Lnuk-x, 4106 Vineyard Dr.  
SUBJECT: Racist, Corrupt Police and City Employees

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

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Corruption: The Mayor, EPA, RSR lead settlement

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3022

Item 1: Approval of Minutes of the October 12, 2005 City Council Meeting

Deputy Mayor Pro Tem Garcia moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3023

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-34 and addendum addition consent agenda items 1-4 were presented for consideration.

Councilmember Rasansky requested that consent agenda items 15, 17, 18, 25 and addendum addition 3 be considered as individual items. Mayor Miller stated that consent agenda items 15, 17, 18, 25 and addendum addition 3 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Deputy Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda items 15, 17, 18, 25 and addendum addition item 3 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3024

Item 2: Authorize a professional services contract with Freese and Nichols, Inc. to evaluate alternatives and prepare a design report with recommendations for a new influent pump station at the Central Wastewater Treatment Plant - \$2,153,513 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3025

Item 3: Authorize a contract with David Hickman to fabricate and install two kinetic artworks at the Northwest Service Center located at 9809 Harry Hines Blvd. - Not to exceed \$80,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3026

Item 4: Authorize a contract for site improvements including the construction of concrete sidewalks, site furnishings and removal and redevelopment of the existing playground at Jones Park located at 1647 McManus - A S Con., Inc., lowest responsible bidder of four - \$83,475 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3027

Item 5: Authorize a contract for playground improvements at Kidd Springs Park located at 700 West Canty Street - Henneberger Construction, Inc., lowest responsible bidder of two - \$285,808 - Financing: 1998 Bond Funds (\$101,570) and 2003 Bond Funds (\$184,238)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3028

Item 6: 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3029

Item 7: Authorize Supplemental Agreement No. 1 to the contract with Marcel Quimby Architecture/Preservation, Inc. for design development, construction documents, bidding and construction administration services for improvements at Tietze Park located at 2700 Skillman Street - \$62,525, from \$20,240 to \$82,765 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3030

Item 8: Authorize an increase in the contract with F. Hall Mowing Company for demolition services for structures ordered demolished by the Urban Rehabilitation Standards Board, court orders, the emergency demolition of unsafe buildings due to fire damage, and the demolition of City-owned buildings as required - \$250,000, from \$1,000,000 to \$1,250,000 - Financing: Demolition Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3031

- Item 9: Authorize (1) cancellation of the Skillman Street from the Union Pacific Railroad to Abrams Road project from the 1995 Bond Program, (2) cancellation of the Skillman Street from the Union Pacific Railroad to Lovers Lane project from the 1998 Bond Program, (3) reprogramming of 1995 Bond Funds in the amount of \$39,000 from the Skillman Street from the Union Pacific Railroad to Abrams Road project and 1998 Bond Funds in the amount of \$512,130 from the Skillman Street from the Union Pacific Railroad to Lovers Lane project to KATY Trail Phase III from McCommas Boulevard to Skillman Street, (4) termination of the Interlocal Agreement with the Texas Department of Transportation for the design and construction of paving improvements on Skillman Street from the Union Pacific Railroad to Lovers Lane, and (5) the receipt and deposit of local share reimbursements from the Texas Department of Transportation for Skillman Street from the Union Pacific Railroad to Lovers Lane in an amount not to exceed \$29,318 - 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 26, 2005

05-3032

Item 10: Authorize submission of the list of candidate projects to the North Central Texas Council of Governments for the Regional Transportation Council Partnership Program 3 Call for Projects, and authorize acceptance and implementation of the projects selected by the North Central Texas Council of Governments' Regional Transportation Council for the Partnership Program 3 - City's match will not exceed \$43,445,000 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3033

Samuell Boulevard from IH 30  
to the Mesquite City Limits

Note: Item Nos. 11 and 12 must  
be considered collectively.

Item 11: \* Authorize (1) a Local Project Advanced Funding Agreement with the Texas Department of Transportation to provide landscaping and irrigation improvements on Samuell Boulevard from IH 30 to the Mesquite City Limits, and (2) payment to the Texas Department of Transportation for the construction of paving, drainage, landscaping and irrigation improvements on Samuell Boulevard from IH 30 to the Mesquite City Limits - \$2,863,763 - Financing: 1998 Bond Funds (\$2,794,763), and Restoration Funds (\$69,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3034

Samuell Boulevard from IH 30  
to the Mesquite City Limits

Note: Item Nos. 11 and 12 must  
be considered collectively.

Item 12: \* Authorize a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the construction and installation of water and wastewater main improvements and water utility relocations on Samuell Boulevard from IH 30 to the Mesquite City Limits - \$4,687,563 - Financing: Water Utilities Capital Improvement Funds (\$4,380,286), Water Utilities Capital Construction Funds (\$307,277)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3035

Item 13: A resolution authorizing the conveyance of a drainage easement containing approximately 803 square feet of land to the City of Rowlett for the construction and maintenance of a storm water drainage facility across City-owned land at Lake Ray Hubbard located near the intersection of Dalrock and Chiesa Roads - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3036

Item 14: Authorize the release of a non-tax City liens against 1 privately held vacant property located at 410 Sparks Street, in exchange for Texas Heavenly Homes, Ltd. providing an unsecured promissory note in the amount of the non-tax liens estimated to be \$7,234, paying all delinquent taxes, penalties and interest on the property, and providing affordable housing on the property for a low-income household in accordance with the City's Land Transfer Policy and Program Statement - Estimated revenue foregone: \$7,234

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3037

Item 15: Authorize a second amendment to the lease agreement with the Dallas Children's Advocacy Center for a sixty-month renewal and extension for approximately 3,731 square feet of office space and five parking spaces located at 3611 Swiss Avenue for the Police Department's Youth and Family Support Division from January 1, 2006 through December 31, 2010 - \$4,104 per month for a sixty-month total of \$246,246 - Financing: Current Funds (subject to annual appropriations)

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

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

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3038

Item 16: Authorize the purchase of passes on behalf of City employees in support of the City's 2006 clean air initiative from Dallas Area Rapid Transit - Not to exceed \$167,268 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3039

Item 17: Authorize the purchase and installation of a 530-ton centrifugal chiller from Texas Trane Company, through the Texas Cooperative Purchasing Network, at the Morton H. Meyerson Symphony Center located at 2301 Flora Street - Not to exceed \$223,200 - Financing: Current Funds (\$139,501), Capital Construction Funds (\$57,062), General Capital Reserve Funds (\$26,637)

Councilmember Rasansky requested that consent agenda item 17 be considered as an individual item. Mayor Miller stated that consent agenda item 17 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 17 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3040

Item 18: Authorize a fifty-seven-month service contract to provide fleet maintenance services with the best value bidder - Serco Management Services, Inc. - Not to exceed \$16,432,294 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Miller stated that consent agenda item 18 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 18 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Hill absent)

**Note: Deputy Mayor Pro Tem Garcia stated that the city attorney and auditor should be an integral part of the negotiation of the contract.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3041

Item 19: Authorize the purchase of two replacement tractors and batwing mowers to be used for mowing the Trinity River levee, floodways and sumps from the lowest responsible bidder of three - Landmark Equipment, Inc. - Not to exceed \$118,756 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3042

Item 20: Authorize a twenty-four-month master agreement for tires and tubes with the lowest responsible bidders of four - Gray's Wholesale Tire in the amount of \$1,961,322, Wallace W. Wade Specialty Tires in the amount of \$208,634, KB Tires & Tubes in the amount of \$53,119, and Industrial Tire DFW in the amount of \$43,066 - Total not to exceed \$2,266,141 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3043

Item 21: Authorize a grant agreement with Circle of Support located at 1600 Pennsylvania Avenue to fund the Girl S.M.A.R.T (Science, Math, Art, Reading, and Technology) Summer Learning Program for 1st through 12th grade girls within the South Dallas/Fair Park Trust Fund area - Not to exceed \$35,000 - Financing: South Dallas/Fair Park Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3044

Item 22: Authorize a grant agreement with Girls Inc. of Metropolitan Dallas to fund operation of the Project BOLD Safety Program in the South Dallas/Fair Park community, which is designed to reduce violence, substance abuse, teen pregnancy and school failure for young women within the South Dallas/Fair Park area - Not to exceed \$35,000 - Financing: South Dallas/Fair Park Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3045

Item 23: Authorize an amendment to the contract with the Department of State Health Services to (1) accept additional grant funds for the continuation of maternal and child health services, and (2) extend the term of the contract through December 31, 2005 - Not to exceed \$15,840, from \$47,520 to \$63,360 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3046

Item 24: Authorize the reconstruction on-site of two homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1830 Bayside Street in the amount of \$70,000 and 1738 Avenue B in the amount of \$70,000 - Total not to exceed \$140,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3047

Item 25: Authorize renewal of the personal services contract with Randy C. Cain for State legislative services from November 13, 2005 through November 12, 2006 - Not to exceed \$65,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 25 be considered as an individual item. Mayor Miller stated that consent agenda item 25 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 25 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3048

Item 26: Authorize renewal of the personal services contract with Barbara T. McCall for federal legislative services from November 13, 2005 through November 12, 2006 - Not to exceed \$160,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3049

Item 27: Authorize renewal of the personal services contract with Kwame Walker for State legislative services from November 13, 2005 through November 12, 2006 - Not to exceed \$40,000 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3050

Trinity River Project Legislative Services

Note: Item Nos. 28 and 29 must  
be considered collectively.

Item 28: \* Authorize renewal of the personal services contract with Hector Alcalde for legislative services regarding the Trinity River Project from December 13, 2005 through December 12, 2006 - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3051

Trinity River Project Legislative Services

Note: Item Nos. 28 and 29 must  
be considered collectively.

Item 29: \* Authorize renewal of the personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Project from December 13, 2005 through December 12, 2006 - Not to exceed \$35,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3052

Item 30: Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Organization Program - Not to exceed \$4,259,693 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3053

Item 31: Authorize (1) amendments to the 2005 City Calendar to (a) cancel the Council-Staff Planning Session currently scheduled for November 11 and 12, 2005 and reschedule it for January 19, and 20, 2006; and, (b) add a November 7, 2005 City Council Legislative Affairs Committee meeting; and, (2) adoption of the 2006 City Calendar - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3054

Item 32: Authorize Supplemental Agreement No. 3 to the Local Agreement with the Dallas County Criminal District Attorney to share, on a fifty percent basis, the money and proceeds received by the District Attorney for cash, negotiable instruments, or other contraband forfeited from gambling cases under Chapter 18 of the Texas Code of Criminal Procedure - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3055

Item 33: Authorize (1) a public hearing to be held on November 9, 2005 to receive citizens' comments concerning a proposed increase in taxicab rates of fare and at the close of the hearing, (2) consideration of an ordinance amending Chapter 45 of the Dallas City Code to revise taxicab rates of fare - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3056

Item 34: Authorize continuation of the contract with the United States Geological Survey for operation of streamflow and water quality gauging stations in the Trinity River basin from October 1, 2005 through September 30, 2006 - \$75,881 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3057

Item 35: MISCELLANEOUS HEARING - UNDER ADVISEMENT

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  
Note: This item was considered by the City Council at a public hearing on October 12, 2005, and was taken under advisement until October 26, 2005, with the public hearing open.

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:

John Van Buskirk, 2450 Wildoak Dr., representing Claremont Addition Neighborhood Association  
Ray Huebner, 9041 Drumcliff Ln.  
Glee Huebner, 9041 Drumcliff Ln.  
Joe Key, 6242 Barkwood  
Calie Stephens, 7107 Holly Hill Dr.  
David Biggerstaff, 1424 Arizona Ave.  
Scott Wesolowski, 1800 S. Polk St.  
Gerald Larson, 13401 Baythorne  
Lonnie Shirley, 7118 Fieldview  
Brian Crockett, 6529 Aberdeen  
Keith James, 6845 Arboreal Dr.  
Robert Faulk, 6704 Regalbluff  
Marcus Wood, 5335 Ridgelawn Dr.  
Julian Peterson, 4203 Junius St.  
Marie Rodriguez, 14949 Hillcrest Rd.  
Sally Geymuller, 6812 Midcrest St.  
Charles Lee, 8249 Foresthills Blvd.  
Tammy Hooker, 5823 Richmond Ave.  
Christine Morgan, 4827 N. Amherst Ave.  
Al Lipscomb, 830 Clearwood Dr.  
Peter Kavanagh, 305 W. Greenbriar  
Rayburn Clark, 1331 Presido  
Eloise C. London, 12232 Hoblitzelle Dr.  
Barbara Barbee, 303 N. Barnett Ave.  
Michael Macon, 5924 Williamstown Rd.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-3057

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Elvira Walton, 918 E. Waco Ave.  
T.J. Daquino, 9721 Burney  
Dennis Mitchell, 5304 Mystic Trl.  
Charles Stovall, 1816 Routh St., representing St. Paul Methodist Church  
Judd Bradbury, 7214 Coronado Ave.  
Ethel A. Smith, 1019 Strickland St.  
Robert Duff, 4051 Kirkmeadow  
Don Montgomery, 2727 Ingle  
Jim Smith, 4819 Spyglass Dr.  
Alan Walne, 10020 Caribou Trail  
Elida Lunsford, 5831 Caladium  
Milton Lewis, 9417 Glengreen  
Dorila M. DeLeon, 2742 Beechmont Pl.  
Richard Martin Jr., 2928 Materhorn  
Gloria Greer, 3705 Pomeroy Dr.  
Brenda Key, 2733 Kellogg  
J.T. Young, (no address given) Ft. Worth  
Cedric Williams, (no address given) Irving  
Heather Howie, 10702 Canyon Rd.  
Stephanie Dodd, (no address given),Lewisville  
Eva Cruz, (no address given) Coppell  
Malcolm Reed, 7536 Premrose Rd., Irving  
Bob Kenney, 3725 St. Andrews, The Colony  
Douglas Hucker, 4309 Rock Springs Dr., Plano, representing American Gem Trade Association  
Jack Ternan, 6621 Wickliff Tr., Plano  
Richard Garten, 1614 Marquet, Richardson  
Bobby Barrett, 236 Timber Ridge, Coppell  
Kathleen Schraufnagel, 2516 Collingwood, Farmers Branch

Councilmember Salazar moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3058

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 36-37, were presented for consideration.

Agenda item 36: Zoning Case Z045-271 (WE)

Agenda item 37: Zoning Case Z045-277 (RB)

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

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

Councilmember Blaydes moved to close the public hearing, accept the recommendation of the city plan commission in the consent zoning cases and pass the ordinances, 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 Medrano and unanimously adopted. (Chaney absent when vote taken; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3059

Item 36: Zoning Case Z045-217 (WE)

Zoning Case Z045-217 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 344 for a commercial amusement (inside and outside) to reconfigure the equestrian center, provide additional parking spaces and consider other related amendments, on the north side of Park Lane, northwest of Abrams Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26144.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3060

Item 37: Zoning Case Z045-277 (RB)

Zoning Case Z045-277 (RB), an application for and an ordinance granting a new subarea within the Area 5 portion of Planned Development District No. 465, the Arlington Park Special Purpose District, to permit a Special Residential Use on the southwest corner of Chattanooga Place and Lee Hall Drive with retention of Specific Use Permit No. 897 for a Convent.

(The city plan commission recommended approval of a new subarea (Area 5A) within the Area 5 portion of PDD No. 465, subject to conditions, with retention of Specific Use Permit No. 897 for a Convent.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26145.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3061

Item 38: Public Hearing - Zoning Case Z045-239 (WE)

A public hearing was called on zoning case Z045-239 (WE), an application for a Planned Development District for R-7.5(A) Single Family District uses on property zoned an A(A) Agricultural District and an R-10(A) Single Family District, north of Middlefield Road, east of St. Augustine Road and an ordinance granting an R-10(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval of an R-10(A) Single Family District, subject to deed restriction volunteered by the applicant in lieu of a Planned Development District for R-7.5(A) District uses.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3062

Item 39: Public Hearing - Zoning Case Z045-272 (WE)

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

A public hearing was called on zoning case Z045-272 (WE), an application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the east line of Greenspan Avenue, south of Midvale Drive and north of High Fall Drive.

(The city plan commission recommended denial.)

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

Councilmember Fantroy moved to postpone the application until the November 9, 2005 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3063

Item 40: Public Hearing - Zoning Case Z045-287 (DW)

A public hearing was called on zoning case Z045-287 (DW), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District uses on property zoned an MU-3 Mixed Use District on the north side of Forest Lane, west of Abrams Road.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3064

Item 41: Public Hearing - DALLAS INDEPENDENT SCHOOL DISTRICT

A public hearing was called on zoning case Z045-260 (WE), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District on the southeast corner of Nuestra Drive and Wozencraft Drive.

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

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

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

The following individuals addressed the city council regarding zoning case Z045-260 (WE):

Marvin Crenshaw, 5134 Malcolm X Blvd.

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Blaydes abstain; Hill absent)

Assigned ORDINANCE NO. 26146.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3065

Item 42: Public Hearing - UNDER ADVISEMENT

A public hearing to consider amendments to Chapter 51 and 51A of the Dallas Development Code to establish a Neighborhood Prevailing Standards Overlay and a Neighborhood Stabilization Overlay.

(The city plan commission recommended approval. Note: This item was considered by the City Council at a public hearing on September 28, 2005, and was taken under advisement until October 26, 2005, with the public hearing open.)

Appearing in opposition to the city plan commission:

Paul Walden, 6011 Prospect Ave.  
Margaret Pate, 6824 Southridge Dr., representing Metro Association of Realtors  
William Cothrum, 900 Jackson St.  
Peter Urrutia, 820 N. Stemmons Frwy.  
Paul Cauduro, 5816 W. Plano Pkwy.  
Mitch Paradise, 6264 Martel Ave.  
Steven Howard, 6000 Monticello Ave.  
John Pouncy, 4006 Sperry St.  
Jo Chloe, 4104 Sperry St.  
Jeri Arbuckle, (no address given), representing Dallas Homeowners League  
Linda Mitchell, 5451 Vickery Blvd.  
Kenneth Lampkin, 6014 Llano Ln.  
Sherry Hall, 6348 Gilnarty  
Barbara Best, 6806 Prestonshire  
Kelly Webster, 6931 Colfax Ave.  
Jason English, 4125 Sperry St.  
Speaker name not given, 4728 Hanover  
Terry Walt, 7207 Fisher Rd.  
Jimmy Langkop, 8427 Craig Hill Ave.  
Mike Nostrums, no address given

Appearing in favor of the city plan commission:

David W. Tubhill, (no address given)  
Tracy Hull, 8620 Baltimore  
Gaye Hopkins, 6030 Monticello  
Sonya Gomez, 6170 Vickery Blvd.  
Wendy Seevers, 4006 Sperry  
Elizabeth Babcock, 7828 Idlewood Ln.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-3065

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Councilmember Hunt moved to postpone the application until the November 9, 2005 voting agenda meeting of the city council and to continue the public hearing with thirty minutes for each side at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3066

Grand Park South TIF District

Note: Item Nos. 43 and 44 must be considered collectively.

Item 43: \* A public hearing to receive citizens' comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Thirteen, City of Dallas, Texas, 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) - Financing: No cost consideration to the City

Item 44: \* An ordinance establishing Tax Increment Financing Reinvestment Zone Number Thirteen, City of Dallas, Texas, to be known as the Grand Park South TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

Councilmember 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.

The following individuals addressed the city council regarding Grand Park South TIF District:

Hank Lawson, 2818 Martin Luther King Blvd. Jr.  
John Edmons, 2109 Commerce St.  
Kevin Felder, 8404 Capriola

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

Motion seconded by Councilmember Blaydes.

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

Voting Yes:	[13]	Miller, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Fantroy, Blaydes, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No:	[0]	
Abstain:	[1]	Chaney
Absent:	[1]	Hill

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26147.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3067

Skillman Corridor TIF District

Note: Item Nos. 45 and 46 must be considered collectively.

Item 45: \* A public hearing to receive citizens' comments concerning the creation of a Tax Increment Financing Reinvestment Zone Number Fourteen, City of Dallas, Texas, 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) - Financing: No cost consideration to the City

Item 46: \* An ordinance establishing Tax Increment Financing Reinvestment Zone Number Fourteen, City of Dallas, Texas, to be known as the Skillman Corridor TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Tax Increment Financing Reinvestment Zone Number Fourteen:

Donna Halstead, 9508 Fieldcrest  
Alan Walne, 10020 Caribou Trl.  
Elwin Sutton, 10130 Chesterton  
Steve Wakefield, (no address given)  
Catherine Stewart, 7935 Square Dr.  
Glee Huebner, 9041 Drumcliff Ln.  
Peggy Hill, 9702 Trail Hill  
Sheffield Kadane, 6841 Lakeshore  
Bill Vandervoort, 9935 Wood Lake Circle

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

Motion seconded by Councilmember Griffith and unanimously adopted. (Hill absent)

Assigned ORDINANCE NO. 26148.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3068

Comcast Cable of Dallas, Inc.

Item 47: \* A public hearing to receive citizens' comments regarding the transfer of the cable television franchise from Comcast Cable of Dallas, Inc. to C-Native Exchange III, LP and the transfer of control from Comcast to Time Warner Cable, Inc. - Financing: No cost consideration to the City

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

The city secretary announced that a quorum was not present and no action should be taken on this item due to Councilmember Griffith's conflict of interest and his abstaining from voting or participating in any discussion on the item.

The city attorney announced that the quorum was not lost due to a conflict and that the present Councilmembers could vote on the item on the table.

The following individual addressed the city council regarding Comcast Cable of Dallas Inc.

Darrell Russell, 648 Nora Ln., **DeSoto, TX**  
Michael Vilon, 616 Cristler Ave.

Councilmember Oakley moved to close the public hearing.

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

Item 48: \* An ordinance authorizing (1) the transfer of the cable television franchise from Comcast Cable of Dallas, Inc. to C-Native Exchange III, LP; and, (2) the transfer of control from Comcast Cable of Dallas, Inc. to Time Warner Cable, Inc. - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3069

Item 49: 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 26, 2005.

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

Councilmember Thornton Reese moved to appoint Daniel Hernandez, Interested Citizen and Sam Yang, Interested Citizen to the Cultural Affairs Commission.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Hill absent)

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

Motion seconded by Councilmember Blaydes and unanimously adopted. (Hill absent)

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

**05-3081 CAC CULTURAL AFFAIRS COMMISSION**  
**05-3082 CDC COMMUNITY DEVELOPMENT COMMISSION**  
**05-3083 CPC CITY PLAN AND ZONING COMMISSION**  
**05-3084 CPR DALLAS/CITIZENS POLICE REVIEW BOARD**  
**05-3085 PAR PARK AND RECREATION BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3070

Item 50: An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application for a change of zoning for property located on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane, and consideration of alternate resolutions either affirming or reversing the decision of the City Plan Commission - W045-008 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Karl Crawley, 900 Jackson St.

Councilmember Salazar moved to reverse the decision of the City Plan and Zoning Commission.

Motion seconded by Councilmember Chaney.

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

Voting Yes:	[11]	Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Blaydes, Griffith, Rasansky, Hunt
Voting No:	[3]	Miller, Koop, Natinsky
Absent:	[1]	Hill

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3071

Item 51: Authorize a Historic Development Program tax abatement for the Purse Building located at 601 Elm Street for ten years on 100 percent of the value of the land and structure - Estimated revenue foregone for a ten-year abatement: \$532,916

Councilmember Medrano moved to delete the Historic Development Program tax abatement for the Purse Building.

Motion seconded by Councilmember Koop and unanimously adopted. (Hill absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3072

Item 52: Authorize the City Manager to actively pursue full federal funding on behalf of the U. S. Army Corps of Engineers in the amount of \$1,439,752 for their portion of Phase I of the Sulphur River Basin-Wide Feasibility Study - Financing: This action has no cost consideration to the City of Dallas

The following individuals addressed the city council regarding the item:

Molly Rooke, 6139 Stichter Ave.  
Rita Bevins, 14605 Dartmouth Ct., Addison  
Allen Greer, representing Freese & Nichols

Deputy Mayor Pro Tem Garcia moved to postpone action until the December 5, 2005 briefing meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3073

Item 53: 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 moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3074

Item 54: 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 moved to accept the deed restrictions volunteered by the applicant, and approve the ordinance, which includes the following changes to the city plan commission recommended condition:

1. The maximum number of dwelling units is 23.
2. The development plan is replaced with a development plan handed out to the city council today, reflecting the reduced number of dwelling units.

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

Assigned ORDINANCE NO. 26149.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3075

Closed Session

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

- Legal issues regarding City's official statement for sale of bonds
- City of Dallas v. AMPCO System Parking, Inc., Civil Action No. 3:04-CV-1830-K
- Zereth Chaney, Individually and as Representative of the Estate of Dorothy Chaney, Deceased v. City of Dallas, Cause No. 02-11731-A

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 regarding City's official statement for sale of bonds
- City of Dallas v. AMPCO System Parking, Inc., Civil Action No. 3:04-CV-1830-K
- Zereth Chaney, Individually and as Representative of the Estate of Dorothy Chaney, Deceased v. City of Dallas, Cause No. 02-11731-A

No other matters were discussed during the close session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3076

Addendum addition 1: Authorize an Interlocal Agreement with the Texas Department of Transportation for the local project funding and maintenance, estimated to be \$274,000 annually based on a 25-year maintenance cycle beginning in 2008, for the Margaret Hunt Hill Bridge - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3077

Addendum addition 2: Authorize settlement of a judgment and release of a judgment lien against Ira A. Stroughter, E. C. Stroughter, and Sheila R. Brown dba Smitty's Gourmet Concessions, a catering business formerly located at 2605 Harwood Street - Revenue: \$12,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3078

Addendum addition 3: Authorize a professional services contract to provide strategic budget development services, Phase I - Public Strategies Group - Not to exceed \$153,000 - Financing: Current Funds

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

Later in the meeting, addendum addition 3 was brought up for consideration.

Councilmember Koop moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3079

Addendum addition 4: An ordinance granting an IR Industrial Research District on the southwest corner of Lombardy Lane and Finnell Street subject to deed restrictions volunteered by the applicant - Z045-246 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26150.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 26, 2005

05-3080

Addendum addition 5: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Susan Diggle Horton individually and as trustee of the trust created under the will of Sue Ragland Diggle, deceased; Alphonse Ragland, III; CSR Ventures, Ltd.; LTR Ventures #2, Ltd.; and Alphonso Ragland, III, Cruger S. Ragland and Lila Ragland Brown, as trustees of the trust created under the will of Portia Ragland McIver, deceased; of approximately 10,000 square feet of land located near the intersection of Commerce and St. Paul Streets for the Mercantile Block Redevelopment Project in Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) - \$850,000 - Financing: Downtown Connection TIF District Funds

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 postpone the item until the November 2, 2005 briefing meeting of the city council.

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 26, 2005

EXHIBIT C