

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 8, 2006

06-0510

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

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

ABSENT: [0]

The meeting was called to order at 9:25 a.m.

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

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

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

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

After all business properly brought before the city council had been considered the city council adjourned at 3:47 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 8, 2006

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 8, 2006

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0511

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: Leslie Davis, 3035 E. Ledbetter Dr.
SUBJECT: Problems that can be solved by the city

SPEAKER: Herman L. Ross, II, 14001 Dallas Pkwy.
REPRESENTING: National Insurance Consultants of Texas
SUBJECT: Surety Bonding Program

SPEAKER: Billy MacLeod, 2524 Elm St.
SUBJECT: Expansion of City Center TIF District and Deep Ellum expansion and development

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Gregory Barber, 1919 Dudley
REPRESENTING: S.A.T.
SUBJECT: Pleasant Grove Multi Purpose Center

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

SPEAKER: Ozumba O. Lunk-x, 4106 Vineyard Dr.
SUBJECT: Appealing to Mayor and Council on unresolved and ongoing issues created by Dallas Police and Code Compliance

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0512

Item 1: Approval of Minutes of the January 25, 2006 City Council Meeting

Councilmember Thornton Reese moved to approve the minutes.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0513

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-26 and addendum addition consent agenda items 1-7, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 23 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 8, 9, 16 and 24 and addendum addition item 3 be considered as individual items. Mayor Miller stated that consent agenda items 8, 9, 16 and 24 and addendum addition item 3 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Thornton Reese 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 Thornton Reese' request.

Deputy Mayor Pro Tem Garcia moved to approve all items on the consent agenda with the exception of consent agenda item 23 which was deleted and consent agenda items 8, 9, 15, 16, and 24 and addendum addition item 3 which would be considered later in the meeting.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0514

Item 2: Authorize a contract for the construction of water and wastewater main replacements at 16 locations in the Forest Hills area - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of three - \$6,146,399 - Financing: Water Utilities Capital Improvement Funds (\$6,118,389), 2003 Bond Funds (\$28,010)

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0515

Item 3: Authorize Supplemental Agreement No. 1 to the professional services contract with Turner, Collie and Braden, Inc. for additional construction management and design services for the renovation of the Greenville Pump Station facility - \$209,500, from \$814,620 to \$1,024,120 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0516

Item 4: Authorize (1) the acceptance and deposit of funds from Austin Commercial LP in the amount of \$37,700 for reimbursement of material and labor for adjustments to traffic signal hardware at Walnut Hill Lane at Glen Lakes Drive and Walnut Hill Lane at Rambler Road; and (2) an increase in appropriations in the amount of \$37,700 in the Capital Projects Reimbursement Fund - Total not to exceed \$37,700 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0517

Item 5: Authorize an agreement with the Texas Department of Transportation for the City's match to upgrade traffic signal hardware at the intersection of Main Street and Malcolm X Boulevard - \$4,032 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0518

Item 6: Authorize a public hearing to be held on March 8, 2006, to receive comments to correct and adjust the assessments for the cost of improvements against the abutting property owners at 508 N. Jester Avenue, 511 N. Jester Avenue, 510 N. Ravinia Drive, 511 N. Ravinia Drive, 2940 W. Davis Street and 3002 W. Davis Street, (Street Group 98-431), and at the close of the hearing, consideration of an ordinance amending Ordinance No. 25071, previously approved on October 23, 2002, to reflect these corrections and adjustments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0519

Item 7: Authorize payment to the City of University Park for the City's share of design and construction costs for paving and drainage improvements on Lovers Lane from Boedeker Street to 100 linear feet east of Willard Drive - \$576,056 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0520

Item 8: Authorize (1) sidewalk paving, water and wastewater adjustments for Sidewalk Safety Group 03-128; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and (2) a benefit assessment hearing to be held on March 8, 2006, to receive comments - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 8 be considered as an individual item. Mayor Miller stated that consent agenda item 8 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 8 was brought up for consideration.

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0521

Item 9: Authorize submission of the list of candidate projects to the North Central Texas Council of Governments for the Texas Department of Transportation's Statewide Transportation Enhancement Program Call for Projects, and authorize acceptance and implementation of the projects selected for the Statewide Transportation Enhancement Program - City's match will not exceed \$10,200,000 - Financing: This action has no cost consideration to the City

Councilmember Rasansky requested that consent agenda item 9 be considered as an individual item. Mayor Miller stated that consent agenda item 9 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 9 was brought up for consideration.

Councilmember Koop moved to approve the item.

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

Note: Correct the project list to show council districts 4 & 7 instead of 11 & 13 on project 9; and council districts 11 & 13 instead of 4 & 7 on project 10.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0522

Item 10: Authorize an 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 Harry Hines Boulevard (Loop 354) from Royal Lane to Farmers Branch Lane - \$10,597,328 - Financing: Water Utilities Capital Construction Funds (\$87,250), Water Utilities Capital Improvement Funds (\$10,510,078)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0523

Item 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 7 tracts of unimproved land containing approximately 70 acres located near the intersection of the Union Pacific Railroad and IH 45 for the Dallas Floodway Extension Project - \$162,636 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0524

Item 12: A resolution declaring 3 tracts of City-owned land unwanted and unneeded and authorize their advertisement for sale by sealed bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0525

Item 13: A resolution authorizing the conveyance of a drainage easement containing approximately 3,532 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 Miller and Kirby Roads - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0526

Item 14: Authorize a thirty-six-month master agreement for protective clothing, with the lowest responsible bidders of twenty-one - Lone Star Safety & Supply, Inc. in the amount of \$158,439, Safety Supply, Inc. in the amount of \$74,726, Abatix Corporation in the amount of \$108,859 and Hagemeyer North America in the amount of \$88,251 - Total not to exceed \$430,275 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0527

Item 15: Authorize Supplemental Agreement No. 6 to the professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P. for additional legal services and related expenses necessary in the lawsuit styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$150,000, from \$995,000 to \$1,145,000 - Financing: Current Funds

Councilmember Thornton Reese 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 Reese' request.

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

The following individual addressed the city council regarding the item:

Al Lipscomb, 830 Clearwood Ave.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0528

Item 16: Authorize a replacement housing payment and disbursement of funds from the SHARE Program for homeowner, Clarence Jones, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$70,000 - Financing: 2004-05 HOME Funds (\$47,500) and 2005-06 Community Development Grant Funds (\$22,500)

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 Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0529

Item 17: Authorize a replacement housing payment and disbursement of funds from the SHARE Program for homeowners, Vernon Moore and Billie Moore, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$70,000 - Financing: 2001-02 Community Development Grant Funds (\$18,137), 2004-05 HOME Funds (\$29,363) and 2005-06 Community Development Grant Funds (\$22,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0530

Item 18: An ordinance authorizing a correction to Ordinance No. 26212, previously approved on January 11, 2006, for an amendment to and renewal of Specific Use Permit No. 1490 for a private school on the southeast corner of Royal Lane and Webb Chapel Road to correct the parking conditions and site plan - Z045-313(MM) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26247.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0531

Item 19: An ordinance authorizing a correction to Ordinance No. 26026, previously approved on June 22, 2005, to recodify the Turtle Creek Environmental Corridor as Sections 51-4.508 and 51A-4.508 of the Dallas Development Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26248.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0532

Item 20: Authorize amendments to Resolution Nos. 03-2455 and 03-2456, previously approved on September 10, 2003, authorizing a development agreement with Main Street Investors, J.V. for the design and construction of environmental remediation, demolition, facade restoration, and certain public improvements related to 1608 Main Street and a pedestrian access-way, to (1) extend project deadlines, (2) allow for private competitive bidding requirements instead of public bidding requirements in accordance with recent changes to Chapter 311 of the Texas Tax Code for the redevelopment of 1608 Main Street and the pedestrian access-way, and (3) defer interest accrual for TIF repayments for this project from the date the funds are advanced by the developer to the date of project completion - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0533

Southwestern Medical TIF District

Note: Item Nos. 21 and 22
must be considered
collectively.

- Item 21: * Authorize (1) a development agreement with FirstWorthing or its affiliate Worthing at Motor, L.P., for the funding of design and construction of certain public improvements for Cityville at Southwestern Medical District, Phase I, a mixed-use project located at the corner of Motor and Bengal Streets in Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), in an amount not to exceed \$1,440,000 plus interest payable from future Southwestern Medical TIF District funds; and (2) the establishment of appropriations in an amount not to exceed \$1,440,000 in the Southwestern Medical TIF District Fund - Total not to exceed \$1,440,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Southwestern Medical TIF District Fund; accrued interest on private funds to be repaid solely from the Southwestern Medical TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0534

Southwestern Medical TIF District

Note: Item Nos. 21 and 22
must be considered
collectively.

- Item 22: * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Ten, (Southwestern Medical TIF District), to reimburse FirstWorthing or its affiliate Worthing at Motor, L.P., for eligible expenditures pursuant to the development agreement with FirstWorthing and/or its affiliate Worthing at Motor, L.P., Inc., in an amount not to exceed \$1,440,000, plus interest, for certain public improvements related to the development of Cityville at Southwestern Medical District, Phase I, a mixed-use project located at the corner of Motor and Bengal Streets in Tax Increment Financing Reinvestment Zone Number Ten, Southwestern Medical TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0535

Item 23: Authorize the preparation of plans for the issuance of up to \$51,000,000 in Downtown Dallas Development Authority Contract Tax Increment Revenue Bonds for the Mercantile development project located in Reinvestment Zone Number Eleven (Downtown Connection TIF District) - Financing: This action has no cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0536

Item 24: Authorize (1) the acceptance of a reimbursable matching grant from Save America's Treasures in the amount of \$300,000; (2) the City's match in the amount of \$300,000; and (3) a grant agreement with the United States Department of the Interior, administered by the National Park Service for the mural protection system at the Centennial Building in Fair Park located at 3629 Grand Avenue - Total not to exceed \$300,000 - Financing: 2003 Bond 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 Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0537

Item 25: Authorize an Interlocal Agreement with the Dallas County Sheriff's Department for film processing in its Regional Color Lab for the Dallas Police Department and the Dallas Fire-Rescue Department for the period February 23, 2006 through February 22, 2008 - \$10,600 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0538

Item 26: Authorize an agreement with Upper Trinity Regional Water District for emergency treated water supply - Not to exceed \$30,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0539

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 27-32, were presented for consideration.

Agenda items 27, 29, 30, and 32 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 27: Zoning Case Z056-122 (DW) [Considered individually]~~
Agenda item 28: Zoning Case Z056-128 (DW)
~~Agenda item 29: Zoning Case Z056-133 (JH) [Considered individually]~~
~~Agenda item 30: Zoning Case Z056-139 (RB) [Considered individually]~~
Agenda item 31: Zoning Case Z056-134 (WE)
~~Agenda item 32: Zoning Case Z056-130 (WE) [Considered individually]~~

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 Salazar 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 Rasansky and unanimously adopted. (Hill, Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0540

Item 27: Zoning Case Z056-122 (DW)

The consent zoning docket, consisting of agenda items, 27-32, were presented.

Councilmember Oakley requested that consent zoning docket item 27 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 27 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Oakley's request.

Later in the meeting, zoning docket item 27 was brought up for consideration.

A public hearing was called on zoning case Z056-122 (DW), an application for and an ordinance granting the renewal of Specific Use Permit No. 1496 for an open-enrollment charter school on property zoned an IR Industrial Research District on the southeast corner of Exchange Service Drive and Joseph Hardin Drive.

(The city plan commission recommended approval for a period expiring on April 14, 2009 with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.)

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

Councilmember Oakley moved to postpone the application until the March 8, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0541

Item 28: Zoning Case Z056-128 (DW)

Zoning Case Z056-128 (DW), an application for and an ordinance granting a Specific Use Permit for a foster home on property zoned an R-7.5(A) Single Family District on the south corner of Webb Chapel Extension and Bachman Drive.

(The city plan commission recommended approval for a period expiring on September 30, 2016, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26249.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0542

Item 29: Zoning Case Z056-133 (JH)

The consent zoning docket, consisting of agenda items, 27-32, were presented.

Theresa O'Donnell, director of development services, requested that consent zoning docket item 29 be removed from the consent zoning docket, to be called as an individual hearing, because in accordance with subparagraph (c)(2)(B) of Section 51A-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 a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 20 feet of the area of the request, and the protest had been filed with the director of development services.

Mayor stated that consent zoning docket item 29 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z056-133 (JH), an application for and an ordinance granting a Specific Use Permit for a Commercial Motor Vehicle Parking use on property zoned an IR Industrial Research District on the north side of Brass Way, west of Cockrell Hill Road.

(The city plan commission recommended approval, for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to revised site plans and conditions.)

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

Mike Edgemon, 4580 Brass Way
Irwin Luvdahl, 4500 Brass Way, representing Texas Electric Motors

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

Peter Kavanagh, 305 W. Greenbriar, representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0542

Page 2

Councilmember Oakley moved to close the public hearing and follow the recommendation of the city plan commission with the following changes:

- “1. That paving on the site be concrete
2. That security lighting will be installed for nighttime security” and bring the ordinance back on February 22, 2006

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0543

Item 30: Zoning Case Z056-139 (RB)

The consent zoning docket, consisting of agenda items, 27-32, were presented.

Councilmember Chaney requested that consent zoning docket item 30 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 30 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, zoning docket item 30 was brought up for consideration.

A public hearing was called on zoning case Z056-139(RB), an application for and an ordinance granting a Specific Use Permit for an Auto service center on property zoned an NC(E) Neighborhood Center (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the west corner of Second Avenue and Hatcher Street.

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

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

Peter Kavanagh, 305 W. Greenbriar, representing the applicant

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

Councilmember Chaney moved to close the public hearing and approve SUP No. 1612 with the following changes:

"1. Amend Condition No. 5 to read as follows:

HOURS OF OPERATION: The auto service center may only operate between 8:30 a.m. and 6:00 p.m., Monday through Saturday" and pass the ordinance.

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

Assigned ORDINANCE NO. 26250.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0544

Item 31: Zoning Case Z056-134 (WE)

Zoning Case Z056-134 (WE), an application for an amendment to Planned Development District No. 592 to allow for mini-warehouse uses and an ordinance granting an amendment to Planned Development District No. 592 and an ordinance granting a Specific Use Permit for a mini-warehouse use on the north line of Northwest Highway, east of Shady Brook Lane with consideration of a Specific Use Permit for warehouse uses.

(The city plan commission recommended approval, of an amendment to Planned Development District No. 592 and approval of a Specific Use Permit for a mini-warehouse use for a ten-year period with automatic renewal for additional ten-year periods, subject to a site plan and conditions in lien of the requested Planned Development District amendment.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 26251 and 26252.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0545

Item 32: Zoning Case Z056-130 (WE)

The consent zoning docket, consisting of agenda items, 27-32, were presented.

Theresa O'Donnell, director of development services, requested that consent zoning docket item 32 be removed from the consent zoning docket, to be called as an individual hearing, because in accordance with subparagraph (c)(2)(B) of Section 51A-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 a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 20 feet of the area of the request, and the protest had been filed with the director of development services.

Mayor stated that consent zoning docket item 32 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z056-130 (WE), an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for Industrial (outside) potentially incompatible uses with outside storage on property zoned an IR Industrial Research District on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval, for an IM Industrial Manufacturing District subject to the deed restrictions volunteered by the applicant and approval of the Specific Use Permit for a one-year period with eligibility for automatic renewal for one additional one-year period, subject to a site plan and conditions.)

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

Karl Crawley, 900 Jackson St., representing the applicant

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0545

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Councilmember Salazar moved to close the public hearing and follow the city plan commission recommendation for approval of a zoning change, a resolution accepting deed restrictions, and approval of a specific use permit with the following changes to the conditions for the specific use permit:

Change condition number five to read: "The Property must be fenced and gated along Spangler Road as shown on the attached site plan"

Change condition number six to read: "Ingress and egress may only be provided in the one location shown on the attached site plan" and pass the ordinance.

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

Assigned ORDINANCE NOS. 26253 and 26254.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0546

Item 33: Public Hearing - Zoning Case Z056-116 (WE)

A public hearing was called on zoning case Z056-116 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1557 for a community service center on property zoned an MF-1(A) Multifamily District, on the west corner of Holly Hill Drive and Pineland Drive.

(The city plan commission recommended approval, for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions. Note: This item was considered by the City Council at a public hearing on January 25, 2006, and was held under advisement until February 8, 2006, with the public hearing open.)

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

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

Kevin Nurani, 7317 Holly Hill
Lance Rashbridge, M.D., 5010 Tremont St.
Dionne Davis, 5616 Preston Oaks
Cindy Webber, 311 Maple St., Richardson

Councilmember Rasansky moved to close the public hearing, and deny the application.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0547

Item 34: Public Hearing - Zoning Case Z056-111 (MM)

A public hearing was called on zoning case Z056-111 (MM), an application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and an R-7.5(A) Single Family District, with deed restrictions volunteered by the applicant, on the northwest corner of Crown Road and Newberry Street and an ordinance granting an IR Industrial Research District on the R-7.5(A) Single Family District portion.

(The city plan commission recommended approval of an IR Industrial Research District on that portion of the property zoned an R-7.5(A) Single Family District in lieu of the applicant's request for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant. Note: This item was considered by the City Council at a public hearing on January 25, 2006, and was held under advisement until February 8, 2006, with the public hearing open.)

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

Ryan Bibbs, 918 Dragon, representing the applicant

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

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

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 26255.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0548

Item 35: MISCELLANEOUS HEARING

A public hearing to receive comments on the proposed use of a portion of the Elm Fork Greenbelt for the installation of a segment of the Trinity River Authority's Elm Fork Relief Interceptor to serve the Central Regional Wastewater System, and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

No addressed the city council regarding the item.

Councilmember Salazar moved to close the public hearing and approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0549

Item 36: MISCELLANEOUS HEARING

A public hearing to receive comments on the proposed use of a portion of Fair Park for the installation of the Fair Park Dallas Area Rapid Transit Light Rail Station, and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Albert Parker, 6310 Elam Rd.
Billy MacLeod, 2425 Elm St.

Councilmember Chaney moved to close the public hearing and approve the resolution.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0550

Item 37: MISCELLANEOUS HEARING

A public hearing to receive comments on amendments to the CBD Streets and Vehicular Circulation Plan to change the right-of-way of Flora Street from Jack Evans Street to Routh Street from 100 feet to 97 feet of right-of-way; to designate Routh Street from Ross Avenue to Woodall Rodgers Freeway as a four lane divided roadway with 55 to 70 feet of pavement within 75 to 100 foot right-of-way, and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

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

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26256.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0551

Item 38: MISCELLANEOUS HEARING

A public hearing to receive comments on amendments to the CBD Streets and Vehicular Circulation Plan to change the operation of Main Street from Market Street to Houston Street from two lanes eastbound and two lanes westbound to a one-lane eastbound and a one-lane westbound roadway and to reduce the pavement from 52 feet to 44 feet; and an amendment to the CBD Streets and Vehicular Circulation Plan to change the operation of Houston Street from a one-way roadway to a two-way roadway between Young Street and Elm Street, and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Dan Blizzard, 400 S. Record St., representing Belo

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

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

Assigned ORDINANCE NO. 26257.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0552

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

City Center TIF District

- Item 39: * A public hearing to receive comments on amendments to the City Center TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) increase the City's participation in the City Center TIF District from 61% to 90% beginning in the 2006 tax year, (b) shift funds among budget categories by decreasing Streetscapes in the amount of (\$2,197,095), Parking in the amount of (\$974,846), Public-use in the amount of (\$1,536,213), Public Plazas in the amount of (\$4,375,000), and increasing the Environmental Remediation/Demolition/Facade category in the amount of \$9,083,154, (c) define the use and disbursement of affordable housing funds, (d) amend the City Center TIF District boundary to exclude 1603 Commerce Street, 1607 Commerce Street, 1609 Commerce Street, 1616 Main Street, 1618 Main Street and 1622 Main Street (Neiman Marcus), and (e) make corresponding modifications to the Plan and Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City
- Item 40: * An ordinance amending Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) increase the City's participation in the City Center TIF District from 61% to 90% beginning in the 2006 tax year, (b) shift funds among budget categories by decreasing Streetscapes in the amount of (\$2,197,095), Parking in the amount of (\$974,846), Public-use in the amount of (\$1,536,213), Public Plazas in the amount of (\$4,375,000), and increasing the Environmental Remediation/Demolition/Facade category in the amount of \$9,083,154, (c) define the use and disbursement of affordable housing funds, and (d) amend the City Center TIF District boundary to exclude 1603 Commerce Street, 1607 Commerce Street, 1609 Commerce Street, 1616 Main Street, 1618 Main Street and 1622 Main Street (Neiman Marcus) - Financing: No cost consideration to the City

The following individual addressed the city council regarding City Center TIF District:

Albert Parker, 6310 Elam Rd.

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

Motion seconded by Councilmember Koop.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0552

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

Voting Yes: [11] Miller, Hill, Garcia, Oakley, Salazar, Fantroy, Griffith, Blaydes,
Koop, Natinsky, Hunt

Voting No: [4] Medrano, Thornton Reese, Chaney, Rasansky

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26258.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0553

Municipal Setting Designation at Lemmon and Wheeler Note: Item Nos. 41 and 42 must be considered collectively.

- Item 41: * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Cityville at Lemmon, L.P. located at 5108-5126 Lemmon Avenue and 3512-3518 Wheeler Street including the adjacent city street and alley rights-of-way - Financing: No cost consideration to the City
- Item 42: * An ordinance authorizing support of the issuance of a municipal setting designation to Cityville at Lemmon, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6108(g)(3) of the Dallas Development Code, the applicant or a licensed representative of the applicant who is familiar with the application must be present and available to answer questions”.

The following individual addressed the city council regarding the item:

David Whitten, 750 N. St. Paul St., representing Cityville at Lemmon, L.P.

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

Motion seconded by Councilmember Fantroy and unanimously adopted.

Assigned ORDINANCE NO. 26259.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0554

Municipal Setting Designation at Maple Avenue

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

- Item 43: * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by David G. Brewer, II and Prescott Interests, Ltd. located at 5914, 5930 and 6008 Maple Avenue including the adjacent city street and alley rights-of-way - Financing: No cost consideration to the City
- Item 44: * An ordinance authorizing support of the issuance of a municipal setting designation to David G. Brewer, II and Prescott Interests, Ltd. or Perry Homes the proposed purchaser of the land by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6108(g)(3) of the Dallas Development Code, the applicant or a licensed representative of the applicant who is familiar with the application must be present and available to answer questions”.

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

The following individual addressed the city council regarding the item:

David Whitten, 750 N. St. Paul St., representing David G. Brewer, II & Prescott Interests, Ltd. or Perry Homes

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

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Rasansky abstain)

Assigned ORDINANCE NO. 26260.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0555

Item 45: 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 February 8, 2006.

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 Oakley moved to appoint, Robert Hsueh, Place 06 Dallas Member, and Michael J. Sorrell, Place 9 Dallas Member, to the Dallas-Fort Worth International Airport Board.

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

Councilmember Oakley moved to appoint Jeff Strater, and Robert Weiss, to the City Plan and Zoning Commission, and Myriam A. Gutierrez, to the Youth Commission.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Blaydes absent when vote taken)

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

06-0572 CPC CITY PLAN AND ZONING COMMISSION
06-0573 DFW DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD
06-0574 PLA PERMIT AND LICENSE APPEALS BOARD
06-0575 YAC YOUTH COMMISSION

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0556

Item 46: Authorize (1) the reappointment of four Administrative Law Judges (ALJ), Frederick Ahrens, Willie Crowder, Kimberly Lonergan and William Messer for the period of January 1, 2006 through December 31, 2007, to hear employee appeals of terminations and demotions; and, (2) contracts with each ALJ in the amount of \$1,600 each - Total not to exceed \$6,400 - Financing: Current Funds (\$3,200 to be reimbursed by the appealing employees)

Councilmember Blaydes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0557

Item 47: Authorize an amendment to Resolution No. 05-2953, previously approved on October 12, 2005, to change the Bond Series to the year 2006 and the 4% tax credits to the Qualified Allocation Plan for 2006 for Mill City Parc housing development located at 4848 Hatcher - 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)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0558

Item 48: Authorize an amendment of Resolution No. 05-0948, previously approved on March 9, 2005, to rescind the loan with Fairway Townhomes, L. P., for the acquisition of the Fairway Crossing Apartments located at 7229 Ferguson Road, a substandard 310-unit apartment complex - Not to exceed \$310,310 - Financing: 2002-03 Community Development Grant Funds (\$253,463); 2004-05 Community Development Grant Funds (\$56,847)

The following individuals addressed the city council regarding the item:

Bruce Stockard, 2500 Lincoln Plaza, representing Southwest Housing
Roger Beecham, 500 N. Akard, representing Southwest Housing
Mark Jones, 1247 Whispering Oaks, DeSoto, TX, representing Southwest Housing

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0559

Item 49: Authorize approval of the concurrent ordinance amending the cities of Dallas and Fort Worth's Thirty-Fifth, Thirty-Sixth, Thirty-Eighth and Thirty-Ninth Supplemental Concurrent Bond Ordinances, relating to auction rate bonds issued by the cities in connection with the Dallas/Fort Worth International Airport - Financing: No cost consideration to the City

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

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". (Griffith, Blaydes abstain)

Assigned ORDINANCE NO. 26261.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0560

Item 50: Authorize approval of the Forty-First Supplemental Concurrent Bond Ordinance authorizing the issuance, sale and delivery of the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2006A in a maximum aggregate principal amount of \$325,000,000 for the purposes of (1) refunding the 1994A and 1995 bond obligations issued by the Dallas/Fort Worth International Airport, and (2) paying certain costs of issuance - Financing: No cost consideration to the City

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

Councilmember Oakley moved to approve the item.

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

Assigned ORDINANCE NO. 26262.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0561

Closed Session

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

- Legal issues relating to the City's continuing compliance with subpoena dated July 29, 2005

A closed session was held as authorized by Chapter 51, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues relating to the City's continuing compliance with subpoena dated July 29, 2005

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0562

Addendum addition 1: Authorize approval of the recommended plan for the proposed alignment of Routh Street between Ross Avenue to Woodall Rodgers Freeway through the downtown Arts District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0563

Addendum addition 2: Authorize a service contract to conduct a Fees for Service, Cost/Revenue Study with the lowest responsible bidder of two
- Public Financial Management, Inc. - Not to exceed \$96,300 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0564

Addendum addition 3: Authorize a thirty-six-month service contract for sanitary sewer cleaning and television inspection with the only bidder - Ace Pipe Cleaning, Inc. - Not to exceed \$2,076,930 - Financing: Water Utilities 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 Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0565

Addendum addition 4: Ratify the emergency repairs of a 96-inch concrete filtered water flume at the Eastside Water Treatment Plant - Miller Pipeline - Not to exceed \$28,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0566

Addendum addition 5: Authorize the acceptance of additional grant funds from the U.S. Department of Homeland Security, through its agent, Texas Engineering Extension Service, under the 2003 Urban Area Security Initiative II program to establish interoperable communications in the region and City of Dallas, for the period August 1, 2003 through July 21, 2005 - Not to exceed \$492,756, from \$3,079,696 to \$3,572,452 - Financing: U.S. Department of Homeland Security, Texas Engineering Extension Service Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0567

Addendum addition 6: Authorize (1) the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice in the amount of \$1,404,761 for support of a broad range of activities to help control and prevent crime, and to improve the criminal justice system; (2) the disbursement of grant funds to Dallas County and other eligible designated cities in the amount of \$537,989; (3) acceptance of the City's portion of the grant in the amount of \$866,772; and (4) execution of the grant agreement - Total not to exceed \$1,404,761 - Financing: U. S. Department of Justice Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0568

Addendum addition 7: Authorize an amendment to the list of employees who are authorized to conduct transactions for the investment of City funds in the Texas Local Government Investment Pool - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0569

Addendum addition 8: Authorize new personnel position titles and salary schedule to allow flexibility in defining and acquiring the necessary human resources to accomplish the mission of the City Auditor's Office - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item on a temporary basis until the new auditor is appointed at which time he or she will make a recommendation as to its permanent implementation and will bring that recommendation to the Finance and Audit committee for review and action.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted.

The resolution to support this agenda item was amended by the city council at the time it was considered. The amended version of the resolution had not been received in the city secretary's office as of: February 17, 2006.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0570

Addendum addition 9: Authorize a twelve-month time extension, as recommended by the Economic Development and Housing Committee, for Community Development Block Grant projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City

Councilmember Chaney moved to approve addendum addition item 9, with the following amendments (as recommended by the Economic Development and Housing Committee):

“Attachment B – Line 8 and Attachment B – Line 12 be moved to the Extension list on Attachment A (these are Community Court Programs)

Attachment B – Items 29, 36, 40, 49, 51 and 53 be reprogrammed and staff is directed to include the \$69,856 in the Fair Park Commercial Corridor Demonstration Program as part of the FY 2006-07 CDBG budget.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted.

The resolution to support this agenda item was amended by the city council at the time it was considered. The amended version of the resolution had not been received in the city secretary’s office as of: February 17, 2006.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 8, 2006

06-0571

Addendum addition 10: A resolution authorizing (1) the creation of the Dallas Performing Arts Cultural Facilities Corporation; and, (2) the appointment of the Board of Directors - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to approve the resolution.

Motion seconded by Councilmember Hunt and unanimously adopted.

The Articles of Incorporation as filed with this resolution was not filled out with the name of the initial registered agent, the number of years the directors are to be appointed, the names and addresses of the persons who shall serve as the initial directors of the Corporation, the names and street address of each incorporator, and the signatures of the incorporators as of February 17, 2006.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 8, 2006

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS