

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 22, 2006

06-0600

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 9:27 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 2:50 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 22, 2006

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 22, 2006

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0601

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: Ophers Barber, 2502 Southwood Dr.
REPRESENTING: S.A.T.
SUBJECT: Pleasant Grove Multipurpose Center

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

SPEAKER: Ozumba Lunk-x 4106 Vineyard Dr.
SUBJECT: Corrupt DPD Officers and Code Compliance

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0602

Item 1: Approval of Minutes of the February 8, 2006 City Council Meeting

Deputy Mayor Pro Tem Garcia moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0603

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-35 and addendum addition consent agenda items 1-8, were presented for consideration.

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda item 18 until the next voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that the city manager had deleted consent agenda item 24 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 14, 20, 21, 25, 27, and 30 and addendum addition items 1 and 3 be considered as individual items. Mayor Miller stated that consent agenda items 14, 20, 21, 25, 27 and 30 and addendum addition items 1 and 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 requested that consent agenda items 26 and 34 and addendum addition item 1 be considered as individual items. Mayor Miller stated that consent agenda items 26 and 34 and addendum addition 1 would be considered as individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

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

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 18 which was deferred and consent agenda item 24 which was deleted and consent agenda items 14, 20, 21, 25, 26, 27, 30 and 34 and addendum addition items 1 and 3 which would be considered later in the meeting.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0604

Item 2: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design, design development, construction documents, bidding, construction administration and topographic survey for a new playground and small custom picnic pavilion at Bel-Aire Park located at 10807 Lake Highlands Drive - \$36,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0605

Item 3: Authorize a professional services contract with Charles F. McAfee, FAIA, NOMA, PA, Ltd. for schematic design, design development, construction documents, bidding and construction administration for the renovation of the shelter, rest room, and a new parking lot at Grauwyler Park located at 7500 Harry Hines Boulevard - \$83,400 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0606

Item 4: Authorize a personal services contract with David Hickman to design, fabricate and install a site specific artwork for a gate entrance to the visitor parking lot at Fire Station No. 40 located at 2440 Kirnwood - Not to exceed \$31,783 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0607

Item 5 : Authorize a personal services contract with Carolann Haggard to design, fabricate and install a permanent artwork at the new Lakewood Park located at 7142 Williamson Road - Not to exceed \$44,284 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0608

Item 6: Authorize a personal services contract with Anitra Blayton to collaborate with community representatives and design consultants to design, fabricate and install an artwork or artworks appropriate to Kidd Springs Park located at 711 West Canty - Not to exceed \$49,237 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0609

Item 7: Authorize a contract for construction of modifications to the Police Identification Lab at the Jack Evans Police Headquarters Facility including installation of a separate heating, ventilation and air conditioning system for the physical evidence laboratory - Trevino & Associates Mechanical, L.P., d/b/a Trevino Mechanical Contractors, lowest responsible proposer of four - \$284,704 - Financing: 1995 Bond Funds (\$32,121), 1998 Bond Funds (\$152,073), and 2000 Certificates of Obligation (\$100,510)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0610

Item 8: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on South Chalmers Street from West Brooklyn Avenue to Gladstone Street - PAEE Engineering Company, lowest responsible bidder of five - \$234,678 - Financing: 2003 Bond Funds (\$175,995), Water Utilities Capital Construction Funds (\$53,033), Water Utilities Capital Improvement Funds (\$5,650)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0611

Item 9: Authorize an increase in the contract with Harrison Quality Construction Company, Inc. for security improvements and code requirements for the Janie C. Turner Recreation Center at Pemberton Hill Park located at 6424 Elam Road - \$38,035, from \$991,302 to \$1,029,337 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0612

Item 10: Authorize (1) an increase in the contract with Mid-Continental Restoration Company, Inc. for Phase II preservation of the Lake Cliff Tower located at 329 E. Colorado Blvd. in the amount of \$105,000, from \$1,137,500 to \$1,242,500; (2) an increase in the contract with Mid-Continental Restoration Company, Inc. for Phase IV concrete coring and cutting and structural modifications of the Lake Cliff Tower in the amount of \$170,000, from \$798,500 to \$968,500; and (3) assignment of the contracts to Top Dog - Oak Cliff, L.P. for construction management - Total not to exceed \$275,000 - Financing: Oak Cliff Gateway TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0613

Item 11: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Samuell Boulevard from IH 30 to the Mesquite City Limits - \$101,666 - Financing: Texas Department of Transportation Grant Funds (\$81,333), 1998 Bond Funds (\$20,333)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0614

Item 12: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Northwest Highway from Harry Hines Boulevard to US 75 (Central Expressway) - \$781,573 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0615

Item 13: An ordinance amending Chapter 43 of the Dallas City Code to provide requirements, notice requirements, and other regulations for above ground utility structures - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26263.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0616

Item 14: Authorize (1) an additional payment to the Texas Department of Transportation for the City's share of the cost for construction of the Margaret Hunt Hill Bridge in an amount not to exceed \$6,000,000, (2) the receipt and deposit of funds from Hunt Petroleum Corporation through the Trinity Trust in an amount not to exceed \$6,000,000, and (3) the establishment of appropriations in the amount of \$6,000,000 in the Woodall Rodgers Bridge Fund - Total not to exceed \$6,000,000 - Financing: Private Funds

Councilmember Rasansky requested that consent agenda item 14 be considered as an individual item. Mayor Miller stated that consent agenda item 14 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 14 was brought up for consideration.

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0617

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Bayco Properties, Ltd. for approximately 2,173 square feet of unimproved land located near the intersection of Houston School Road and Killough Boulevard for the Houston School Road Project - \$1,073 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0618

Item 16: A resolution authorizing the sale of approximately 82,879 square feet of unwanted and unneeded City-owned land located at the intersection of Belt Line Road and Biggs Street to the only bidder, Juan F. Ruiz - Revenue: \$51,103

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0619

Item 17: A resolution authorizing conveyance of an access easement to Alvin Morton and Lennie M. Morton, as Trustees of the Alvin Morton and Lennie M. Morton Revocable Living Trust, the abutting owner, containing approximately 1,557 square feet of land for pedestrian and vehicular ingress and egress across City-owned land located in Kaufman County - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0620

Item 18: Authorize Supplemental Agreement No. 1 to the contract with Computronix (Canada), Ltd. for additional professional services and hardware purchases for the land management system and for an additional interface with the centralized collections system - Not to exceed \$251,307, from \$4,826,957 to \$5,078,264 - Financing: Building Inspection Current Funds (\$80,000), 2002 Equipment Acquisition Contractual Obligation Notes (\$171,307)

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda item 18 until the next voting meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0621

Item 19: Authorize a thirty-six-month service contract to provide Surety Support Program services for the period of April 1, 2006 through March 31, 2009, with the most advantageous proposer of five - SSP Consulting, L.C. - Not to exceed \$450,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0622

Item 20: Authorize a thirty-six-month master agreement for janitorial supplies for City facilities with the lowest responsible bidder of two - Eagle Brush and Chemical, Inc. - Not to exceed \$440,963 - Financing: Current Funds

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0623

Item 21: Authorize a sixty-month service contract for the privatization of the Help Desk support through the Department of Information Resources, State of Texas Cooperative contract, with the most advantageous proposer of five, in the amount of \$1,636,663 annually - CompuCom Systems - Total not to exceed \$8,183,315 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 21 be considered as an individual item. Mayor Miller stated that consent agenda item 21 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 21 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0624

Item 22: Authorize a thirty-six-month service contract for grounds maintenance at Hensley Field with the lowest responsible bidders of four - Forest Hills Lawn Service in the amount of \$101,450 and Williams Landscape Service in the amount of \$97,550 - Total not to exceed \$199,000 - Financing: Naval Air Station Redevelopment Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0625

Item 23: Authorize a thirty-six-month service contract for median and right-of-way maintenance with the lowest responsible bidders of three - Good Earth, Inc. in the amount of \$4,603,050 and Toledo Landscaping and Development, LLC in the amount of \$3,814,313 - Total not to exceed \$8,417,363 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0626

Item 24: An ordinance adopting Dallas/Fort Worth International Airport Board's (D/FW Airport Board) Resolution No. 2005-12-480, to amend Section 6-1 of Chapter 4 of the Code of Rules and Regulations of the D/FW Airport Board to authorize an increase in the incentive fares that a taxicab driver, holder, or owner shall charge a passenger - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0627

Item 25: An ordinance amending Chapter 5 of the Dallas City Code to revise the landing fees at Dallas Love Field and Dallas Executive Airports - Estimated Annual Revenue: \$951,597

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 Fantroy moved to pass the ordinance.

Motion seconded by Councilmember Koop.

Councilmember Hunt moved to substitute for Councilmember Fantroy's motion a motion to raise the landing fees to \$1.40.

Motion seconded by Councilmember Rasansky.

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

Voting Yes: [3] Medrano, Rasansky, Hunt
Voting No: [12] Miller, Hunt, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Koop, Natinsky

Mayor Miller declared the motion failed.

Mayor Miller called the vote on Councilmember Fantroy's original motion:

Voting Yes: [12] Miller, Hunt, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Koop, Natinsky
Voting No: [3] Medrano, Rasansky, Hunt

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26264.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0628

Item 26: Authorize (1) an increase in appropriations in an amount not to exceed \$80,000 for the Spay/Neuter Subsidy Pilot Program to assist qualified persons with the cost of pet sterilization; and, (2) a transfer of funds from the Animal Adoption/Redemption Funds to the Sterilization Deposit Fund - Financing: No cost consideration to the City

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

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0629

Item 27: Authorize a public hearing to be held on March 8, 2006 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 64 located at the property north of Interstate 30 at Cockrell Hill Road; and, at the close of the hearing, consideration of (1) an ordinance creating City of Dallas Reinvestment Zone No. 64; (2) a 90 percent real property tax abatement for ten years; and (3) a 30 percent public infrastructure cost participation agreement with Turnpike West, LLC - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 27 be considered as an individual item. Mayor Miller stated that consent agenda item 27 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0630

Item 28: Authorize (1) a public hearing to be held on March 8, 2006 to receive comments on amendments to the Downtown Connection TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) amend the Downtown Connection TIF District boundary to exclude 2400 Bryan Street and 2215 Bryan Street (Crozier Tech), (b) provide updated Anticipated Redevelopment Projects and Projected Increment Schedule information, and (c) make corresponding modifications to the Plan and Ordinance Nos. 26020 and 26096 to implement such Plan amendments for the Downtown Connection TIF District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and at the close of the hearing, (2) consideration of an ordinance amending Ordinance Nos. 26020 and 26096 to reflect all such Plan amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0631

Item 29: Authorize (1) amendments to the Program Statement for the Single-Family Housing Infrastructure Development Bond Program, (2) the reallocation of Bond Program proceeds for public infrastructure improvements in the City's Neighborhood Investment Program areas, and (3) a modification to the program low/moderate income definition - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0632

Item 30: Authorize an amendment to the Program Statement for the Dallas Urban Land Bank Demonstration Program to delete the requirement that the Investment Committee review developer proposals to purchase lots from Dallas Housing Acquisition and Development Corporation - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 30 be considered as an individual item. Mayor Miller stated that consent agenda item 30 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 30 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Chaney.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0633

Item 31: A resolution providing public notification that an employee of St. Philip's Neighborhood Development Corporation, now known as Forest Heights Neighborhood Development Corporation, a Community Housing Development Organization (CHDO), is seeking financial assistance in the form of a CHDO HOME Program Loan to purchase a single-family residence developed by St. Philip's with HOME funds in accordance with conflicts of interest provisions of the Federal Regulations contained in 24 CFR 92.356(f) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0634

Item 32: Authorize a public hearing to be held on March 8, 2006 to receive comments in preparation of the FY 2006-07 Operating, Capital, Grant, and Trust budgets
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0635

Item 33: Authorize an amendment to the 2006 City Calendar to add quarterly Council-Staff Planning Sessions on April 28, 2006, August 18, 2006, and October 20, 2006 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0636

Item 34: An ordinance amending Chapter 28 of the Dallas City Code to restrict the operation of pocket bikes, mini-motorbikes and motor assisted scooters within the city limits of Dallas - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia and Councilmember Griffith requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro tem Garcia and Councilmember Griffith's request.

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

Councilmember Salazar moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia.

Councilmember Blaydes moved to substitute for Councilmember Salazar's motion a motion to defer the item for sixty days to allow public hearings to be held in order to educate the public.

Motion seconded by Councilmember Thornton Reese.

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

Voting Yes: [3] Thornton Reese, Chaney, Blaydes
Voting No: [12] Miller, Hill, Garcia, Medrano, Salazar, Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt

Mayor Miller declared the motion failed.

Mayor Miller called the vote on Councilmember Salazar's original motion:

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26265.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0637

Item 35: Authorize (1) public hearings to be held on March 8, 2006 and April 26, 2006 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the public hearing on April 26, 2006, (2) consideration of an ordinance amending Chapter 31 of the Dallas City Code to readopt and continue in effect the juvenile curfew ordinance - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0638

Item 36: Public Hearing - Zoning Case Z056-135 (DW)

A public hearing was called on zoning case Z056-135 DW), an application for and an ordinance granting a Planned Development District for RR Regional Retail District uses plus multifamily uses on property zoned an MF-2(A) Multifamily District, on the north corner of Northwest Highway and Skillman Street.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0639

Item 37: Public Hearing – Zoning Case Z056-120 (RB)

A public hearing was called on zoning case Z056-120 (RB), an application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the northwest line of 52nd Street, west of Sunnyvale Street and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval of a TH-2(A) Townhouse District, subject to deed restrictions volunteered by the applicant.)

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

The following individual addressed the city council regarding zoning case Z056-120 (RB):

William Hopkins, 2011 Leath St.

Mayor Pro Tem Hill moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NO. 26266.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0640

Item 38: Public Hearing – Zoning Case Z056-107 (JH) - DALLAS INDEPENDENT SCHOOL DISTRICT

A public hearing was called on zoning case Z056-107 (JH), an application for and an ordinance granting the creation of a new subarea for the Booker T. Washington High School renovation within Planned Development District No. 145, the Dallas Arts District, on the northwest corner of Routh Street and Flora Street.

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

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

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

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

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

Assigned ORDINANCE NO. 26267.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0641

Item 39: Public Hearing – Zoning Case Z045-249 (RB)-UNDER ADVISEMENT-INDIVIDUAL

A public hearing was called on zoning case Z045-249 (RB), an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-3 Mixed Use District on the southeast corner of Mockingbird Lane and North Central Expressway.

(The city plan commission recommended approval, subject to a Tract 1 development/Tract 2 conceptual plan, Tract 1 landscape plan, and conditions. Note: This item was considered by the City Council at a public hearing on January 11, 2006, and was held under advisement until February 22, 2006, with the public hearing open.)

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

Councilmember Hunt moved to close the public hearing and follow the city plan commission recommendation for approval of this request with the following changes as shown in the revised portions of the ordinance provided to the city council at this hearing:

- “1. Add a definition of a spa.
2. Provide floor area limitations for restaurants, spas, and all other retail and personal services uses.
3. Sidewalks along Mockingbird Lane must comply with the sidewalk exhibit provided to council at this hearing.
4. Add screening and façade materials provisions for aboveground parking structures.
5. Clarify the particular combination of uses that qualify for alternative tree mitigation.
6. Packed parking stall dimensions must be shown on an approved development plan.
7. Delete the provision for a pedestrian crosswalk from the sidewalk adjacent to the Property to the sidewalk on the north side of Mockingbird Lane” and pass the ordinance.

Motion seconded by Councilmember Natinsky and unanimously adopted.

Assigned ORDINANCE NO. 26268.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0642

Item 40: Zoning Case DCA-056-001 - DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing was called on consideration of amendments to Section 51-4.215, "Animal Related Uses," of Division 51-4.200, "Use Regulations," of Chapter 51A, of the Dallas Development Code, establishing appropriate zoning districts and use classifications for animal clinics with and without outside runs and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

The following individual addressed the city council regarding the development code:

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 26269.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0643

Item 41: Zoning Case DCA 056-002 - DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing was called on consideration of amendments to Subsection (a), "General Provisions," of Section 51A-4.219, "Specific Use Permit (SUP)," of Division 51A-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of Chapter 51A, the Dallas Development Code, establishing a requirement to post Specific Use Permits on the premise of a use requiring a Specific Use Permit and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted.

Assigned ORDINANCE NO. 26270.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0644

Item 42: Zoning Case DCA 056-004 - DEVELOPMENT CODE AMENDMENTS

A public hearing was called on consideration of amendments to Subsection (e), "Postponements," of Section 51A-4.701, "Zoning Amendments," of Division 51A-4.700, "Zoning Procedures," of Article IV, "Zoning Regulations," of Chapter 51A, of the Dallas Development Code, clarifying wording on postponements of zoning applications and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 26271.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0645

Item 43: Public Hearing-FLOODPLAIN APPLICATIONS - UNDER ADVISEMENT

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 0.64 acres of land, zoned Single-Family Residential (R-10A), currently in the floodplain of McKamy Branch and located on the east side of Preston Road and on the north side of McKamy Branch, Fill Permit 05-10 - Financing: No cost consideration to the City Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open.

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 floodplain.

Councilmember Natinsky moved to postpone the application until the April 12, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0646

Item 44: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0647

Item 45: Authorize a real property tax abatement agreement with Crawford Electric Supply Company, Ltd. for the purpose of granting an eight-year abatement of 50 percent of the taxes on added value to the real property located within the Texas Enterprise Zone at 10429 Finnell Street - Revenue: First-year tax revenue estimated at \$13,721, Eight-year revenue estimated at \$109,771; (Estimated revenue foregone for eight-year property abatement is \$109,771)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0648

Item 46: A resolution commemorating the Dr. Martin Luther King, Jr. holiday -
Financing: No cost consideration to the City

The following individuals addressed the city council regarding the resolution:

Marvin Crenshaw, 5134 Malcolm X Blvd.
Al Lipscomb, 830 Clearwood Dr.

Councilmember Chaney moved to approve the resolution.

Motion seconded by Mayor Pro Tem Hill.

During the debate, Councilmember Chaney withdrew his motion.

Councilmember Fantroy moved to amend Section 2 of the resolution to include the march to be held on an appropriate Saturday the weekend before Dr. Martin Luther King, Jr.'s birthday.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0649

Addendum addition 1: Authorize a contract for the construction of a new Animal Shelter to be located at 1818 N. Westmoreland Road - Alshall Construction Company, best value proposer of nine - \$11,133,000 - Financing: 2003 Bond Funds

Deputy Mayor Pro Tem Garcia and Councilmember Rasansky requested that addendum addition item 1 be considered as an individual item. Mayor Miller stated that addendum addition item 1 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia and Councilmember Rasansky's request.

Later in the meeting, addendum addition item 1 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0650

Addendum addition 2: Authorize (1) a contract for the construction of paving, drainage and menity improvements for the Victory Sustainable Development Project, with American Civil Constructors, Inc., lowest responsible bidder of three, in the amount of \$4,018,052, (local share to be provided by the developer), and (2) assignment of the construction contract to Anland GP, L.P. - \$4,018,052 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0651

Addendum addition 3: Authorize submission of the list of candidate projects to the North Central Texas Council of Governments for the Regional Transportation Council Local Air Quality Program Call for Projects, and authorize acceptance and implementation of the projects selected by the Regional Transportation Council for the Local Air Quality Program - Financing: This action has no cost consideration to the City

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

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

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

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0652

Addendum addition 4: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services regarding the production of documents in connection with a federal grand jury subpoena and related matters - Not to exceed \$25,000, from \$25,000 to \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0653

Addendum addition 5: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Munsch Hardt Kopf & Harr, P.C. for additional legal services needed to prepare a follow-up report on the City's independent investigation of the Dallas Police Department's "fake drug cases" - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0654

Addendum addition 6: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P. for additional legal advice and counsel concerning securities and aviation law matters - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0655

Addendum addition 7: 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 - Z056-133(JH) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26272.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0656

Addendum addition 8: Authorize the issuance of tax-exempt bonds to be issued by Southwest Higher Education Authority in an amount not to exceed \$85,000,000 for the benefit of Southern Methodist University - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0657

Addendum addition 9: 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

The following individual addressed the city council regarding the item:

Jim Truitt, 1810 Commerce St., representing Forest City

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky.

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

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

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 22, 2006

06-0658

Addendum addition 10: Authorize a Historic Development Program tax abatement for the Tower Petroleum Building located at 1907 Elm Street, for fifteen years on the added value of the structure only (land and existing improved value not included) - Revenue: First year tax revenue estimated at \$192,525 (Estimated revenue foregone for fifteen years is \$2,887,877)

The following individuals addressed the city council regarding the item:

Lawrence Sweeney, 5314 Swiss Ave., representing Pacific 2004 Holdings Ltd.
Craig Melde, 3415 University Dr., University Park, representing Pacific 2004 Holdings Ltd.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Medrano.

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".

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 22, 2006

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS