

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

06-0770

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 9:20 a.m.

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

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

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

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

After all business properly brought before the city council had been considered the city council adjourned at 6:39 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, MARCH 8, 2006

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0771

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: Richard Sheridan, 3022 Forest Ln.
SUBJECT: Goodbye City Secretary

SPEAKER: Albert Parker, 6318 Elam Rd.
SUBJECT: Dollar peddlers for Mercantile Project

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption with Mayor of Dallas, County Commissioner and West Dallas Housing Authority

SPEAKER: Manuel Rodela, 1502 Berkley
REPRESENTING: Federation of Zazatecanos North Texas
SUBJECT: Sargent Park Improvements

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

SPEAKER: Ozumba Lnuk-x, 4106 Vineyard Dr.
SUBJECT: Corrupt police and code compliance

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0772

Item 1: Approval of Minutes of the February 22, 2006 City Council Meeting

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0773

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-43 and addendum addition consent agenda items 1-18, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 22 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Fantroy requested that consent agenda items 2 and 3 be considered as individual items. Mayor Miller stated that consent agenda items 2 and 3 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Councilmember Rasansky requested that consent agenda items 11, 13, 23, 31, 33, 34, 43 and addendum addition items 11 and 12 be considered as individual items. Mayor Miller stated that consent agenda items 11, 13, 23, 31, 33, 34, 43 and addendum addition items 11 and 12 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Chaney 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 Chaney's request.

Mayor Pro Tem Hill requested that consent agenda item 30 and addendum addition item 14 be considered as individual items. Mayor Miller stated that consent agenda item 30 and addendum addition item 14 be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 22, which was deleted and consent agenda items 2, 3, 11, 13, 21, 23, 30, 31, 33, 34, 43 and addendum addition items 11, 12, and 14 which would be considered later in the meeting.

Motion seconded by Councilmember Rasansky unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0774

Item 2: Authorize a professional services contract with Dunkin, Sims, Stoffels, Inc. for topographic survey, schematic design, design development, construction documents, bidding and construction administration services for the design of a trail within the TXU easement at Lake Highlands from Ferndale to White Rock Trail - \$34,110 - Financing: 2003 Bond Funds

Councilmember Fantroy requested that consent agenda item 2 be considered as an individual item. Mayor Miller stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting, agenda item 2 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Griffith and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0775

Item 3: Authorize a professional services contract with Dunkin, Sims, Stoffels, Inc. for topographic survey, schematic design, design development, construction documents, bidding and limited construction administration for site improvements at McCree Park located at 9016 Plano Road - \$28,352 - Financing: 2003 Bond Funds

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

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

Councilmember Blaydes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0776

Item 4: Authorize a contract for the construction of a sprayground at Campbell Green Park located at 16600 Hillcrest and construction of a sprayground and pavilion at Ridgewood Park located at 6818 Fisher Road - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$1,355,390 - Financing: 1998 Bond Funds (\$272,663) and 2003 Bond Funds (\$1,082,727)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0777

Item 5: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, water and wastewater adjustments for the Sidewalk Replacement Program Group 01-06 - Admiral Construction Company, lowest responsible bidder of five - \$144,543 - Financing: Capital Assessment Funds (\$140,578), Water Utilities Capital Construction Funds (\$3,965)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0778

Item 6: Authorize a contract for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Group 03-601 - McMahon Contracting, L.P., lowest responsible bidder of six - \$1,027,837 - Financing: 2003 Bond Funds (\$803,442), Water Utilities Capital Improvement Funds (\$212,195), Water Utilities Capital Construction Funds (\$12,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0779

Item 7: Authorize a contract for the construction of alley paving improvements for the alley between Winchester Street and Berryhill Street, from Fremont Street to Winchester Street - Goteck Enterprises, LLC, lowest responsible bidder of seven - \$58,195 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0780

Item 8: Authorize a contract for the construction of alley paving, storm drainage, water and wastewater main improvements on Alley Group 03-1121 - VAS Engineering & Construction, lowest responsible bidder of seven - \$812,570 - Financing: 1998 Bond Funds (\$422,785), Water Utilities Capital Construction Funds (\$4,450), Water Utilities Capital Improvement Funds (\$385,335)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0781

Item 9: Authorize an increase in the contract with Turner Construction for improvements to the gorilla habitat and exhibit modifications at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$91,443, from \$1,815,657 to \$1,907,100 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0782

Item 10: Authorize an increase in the contract with SFCC, Inc. for the installation of an irrigation system for the athletic complex, electrical service relocation, concrete sidewalks and shade structure footings at Randall Park located at 100 South Glasgow - \$161,024, from \$1,095,155 to \$1,256,179 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0783

Item 11: Authorize (1) Supplemental Agreement No. 3 to the design/build contract with MetalMan Design/Build Corporation for scope changes to the design and construction contract for the African Lion and Penguin Exhibit, Cat Row Renovations, Nile Crocodile Exhibit, Rhinoceros Iguana Exhibit, Saddle-Billed Stork Exhibit, Birds of Prey Exhibit, Tamarin Exhibit, Asian Sloth Bear Exhibit, Children's Zoo Tot-Lot, and breezeway, monorail station, and fish quarantine renovations; and, (2) an increase in the Guaranteed Maximum Price for the construction of the African Penguin Exhibit, Kangaroo Exhibit and Birds of Prey Exhibit at the Dallas Zoo located at 650 South R.L. Thornton Freeway - Not to exceed \$1,477,176, from \$1,079,350 to \$2,556,526 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 11 be considered as an individual item. Mayor Miller stated that consent agenda item 11 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 11 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0784

Item 12: Authorize an increase in the contract with Gibson and Associates, Inc. to provide additional concrete pavement, drilled piers and striping for the reconstruction of the airfield blast fences No. 7 and No. 8 at Dallas Love Field - \$34,157, from \$2,288,956 to \$2,323,113 - Financing: Aviation Capital Construction Funds (\$8,539), Federal Aviation Administration Airport Improvement Grant Funds (\$25,618)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0785

Item 13: Authorize an increase in the contract with C. Watts and Sons Construction, Inc., for removal of a portion of the old levee at the McCommas Bluff Landfill - \$329,769, from \$8,032,622 to \$8,362,391 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 13 be considered as an individual item. Mayor Miller stated that consent agenda item 13 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 13 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0786

Item 14: Authorize Supplemental Agreement No. 1 to the professional services contract with Freese & Nichols for contract administration, surveying, and quality control testing related to the landfill levee construction at the McCommas Bluff Landfill - \$227,500, from \$1,434,128 to \$1,661,628 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0787

Item 15: Authorize reimbursement to the Lee Park Arlington Hall Conservancy for its share of public improvement costs in connection with the further development of the Arlington Hall Master Plan including drainage, renovation of the picnic area, landscaping, irrigation and trail extension at Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed \$198,029 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0788

Item 16: Authorize payment to Dallas County for the City's share of construction of paving, drainage, water and wastewater main improvements on Martin Luther King, Jr. Boulevard from north of the Trinity River to Gould Street - \$1,372,611 - Financing: 2003 Bond Funds (\$1,051,191), Water Utilities Capital Improvement Funds (\$305,770), Water Utilities Capital Construction Funds (\$15,650)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0789

Item 17: Authorize an increase in the agreement with Texas Department of Transportation for water and wastewater main appurtenance adjustments and relocation of Dallas Water Utilities facilities in conjunction with the Congestion Mitigation and Air Quality Program - \$1,177,000, from \$387,256 to \$1,564,256 - Financing: Water Utilities Capital Construction Funds (\$786,000), Water Utilities Capital Improvement Funds (\$391,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0790

Item 18: Authorize settlement in lieu of condemnation of Young Marines of the Marine Corps League for a tract of land containing approximately 122,157 square feet located near the intersection of Lochwood Boulevard and Lake Gardens Drive for the Casa View Library Project - \$800,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0791

Item 19: Authorize acquisition of a tract of land from Jonathan Gibson containing approximately 9,800 square feet located in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed Dallas Police Academy - \$20,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0792

Item 20: An ordinance closing Leander Drive at Barberry Drive to all vehicular traffic, pursuant to Resolution No. 93-4028 previously approved on October 27, 1993, which authorizes the Policy for Closure of Local Residential Streets to Through Vehicular Traffic - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26273.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0793

Item 21: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 18 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Good Latimer Expressway and Florence Street, Good Latimer Expressway and Pacific Avenue, Indiana and Malcolm X Boulevards, Trunk and Grand Avenues, Trunk and Peabody Avenues, Trunk and Birmingham Avenues and Tuskegee and Coolidge Streets - Financing: No cost consideration to the City

Councilmember Chaney 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 Chaney's request.

Later in the meeting, agenda item 21 was brought up for consideration.

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

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0794

Item 22: Authorize the quitclaim of 23 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders - Revenue: \$215,696

The city secretary announced that the city manager had deleted agenda item 22 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedures.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0795

Item 23: Authorize a twenty-four-month master agreement for computer desktop software, Novell licenses, Microsoft Exchange Management Suite products and Quest active directory management and migration tools, through the Department of Information Resources, State of Texas Cooperative contract with Software House International, Inc. - Not to exceed \$3,500,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 23 be considered as an individual item. Mayor Miller stated that consent agenda item 23 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 23 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0796

Item 24: Authorize a twenty-four-month service contract for minor plumbing repairs and the installation of ultra low flow toilets, showerheads and faucet aerators with the lowest responsible bidder of two - Capo, Inc. - Not to exceed \$244,245 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0797

Item 25: Authorize a thirty-six-month master agreement for various Trane brand air conditioning parts and equipment - Texas Trane Company - Sole Source - Not to exceed \$180,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0798

Item 26: Authorize a twenty-month master agreement for tile pipe and fittings with the lowest responsible bidder of two - Mission Clay Products - Not to exceed \$260,705 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0799

Item 27: Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - Northern Pipeline Construction Co., lowest responsible bidder of two - \$12,005,850 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0800

Item 28: Authorize settlement of the claim filed by Steven Kelly, Claim No. 20042231
- Not to exceed \$12,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0801

Item 29: An ordinance amending Chapter 1 and 18 of the Dallas City Code to comply with changes in state law requiring a culpable mental state for certain ordinance violations and to reduce from \$2,000 to \$500 the maximum fine for early placement of garbage, oversize brush, and bulky trash, and for the late removal of garbage containers - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26274.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0802

Item 30: 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

Mayor Pro Tem Hill 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 Mayor Pro Tem Hill's request.

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

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Hill abstain)

Assigned ORDINANCE NO. 26275.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0803

Item 31: Authorize a replacement housing payment for Janet Brady who has been displaced as a direct result of real property acquisition of approximately 60,211 square feet of land, lots 11 & 12, block A/7042, of the Irby Subdivision, and more commonly known as 8505 Arturo Drive, to be used in conjunction with the Ash Creek Drainage Voluntary Acquisition Project - Not to exceed \$25,485 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 31 be considered as an individual item. Mayor Miller stated that consent agenda item 31 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 31 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0804

Item 32: An ordinance authorizing a correction to Ordinance No. 25941, previously approved on April 13, 2005, for an amendment to Planned Development District No. 598 in an area bound by Wheatland Road, Polk Street, Interstate Highway 20 and Hampton Road to correct the omission of a revised tract map - Z045-167 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26276.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0805

Item 33: Authorize an amendment to Resolution No. 05-3579, previously approved on December 14, 2005, which authorized a 90 percent tax abatement for ten years on added value to real property and a 30 percent or \$150,900, whichever is less, infrastructure cost participation agreement with SWC Westmoreland SC, Ltd. at 3400 W. Illinois Avenue located in Reinvestment Zone No. 63, to change (1) the number of jobs required to be created on the property from 350 to 200, and (2) the substantial completion date for the project from December 31, 2006 to April 30, 2007 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 33 be considered as an individual item. Mayor Miller stated that consent agenda item 33 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 33 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Oakley.

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

Voting Yes: [13] Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar,
Chaney, Fantroy, Griffith, Blaydes, Koop, Natinsky, Hunt
Voting No: [2] Miller, Rasansky

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0806

Item 34: Authorize (1) Interlocal Agreements with the Cities of Cedar Hill, DeSoto, Duncanville, Lancaster, and Mesquite for participation in the Dallas NAFTA Trade Corridor Coalition; (2) the receipt and deposit of \$10,000 from each City for a total of \$50,000 for their cost; and, (3) a payment to Dean International, Inc. in the amount of \$50,000, pursuant to the contract with Dean International, Inc. previously approved on September 9, 2005 by Resolution No. 05-2648 - Financing: No cost consideration to the City

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

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

Mayor Pro Tem Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0807

Item 35: Authorize Interlocal Agreements with the University of North Texas, Texas Woman's University, El Centro College, and other state-funded universities to provide an opportunity for undergraduate and master level nursing and dietetic students to gain practical work experience by assisting in the City of Dallas Health Clinics for the period April 1, 2006 through March 31, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0808

Item 36: Authorize (1) approval of the development plan submitted by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses; and, (2) the sale of 15 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0809

Item 37: Authorize (1) approval of the development plan submitted by Builders of Hope Community Development Corporation for the construction of affordable houses; and, (2) the sale of 14 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0810

Item 38: Authorize a contract with the Greater Dallas Asian American Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2006 through March 31, 2007 - Not to exceed \$37,674 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0811

Item 39: Authorize a contract with the Greater Dallas Hispanic Chamber of Commerce to provide a Community Outreach Liaison Program for the period of April 1, 2006 through March 31, 2007 - Not to exceed \$54,212 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0812

Item 40: Authorize renewal of the membership with the North Central Texas Regional Certification Agency for certification services for the period of January 1, 2006 through December 31, 2006 - Not to exceed \$32,890 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0813

Item 41: Authorize (1) a public hearing to be held on April 26, 2006, to receive comments concerning proposed use of a portion of Emerald Lake Park; and, at the close of the hearing, (2) consideration of the installation of a permanent eight-inch wastewater line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0814

Item 42: Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for and acceptance of the 2006-07 Juvenile Accountability Block Grant to provide further development and enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding - \$100,053 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$90,048) and Current Funds (\$10,005)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0815

Item 43: Authorize a one-year contract with 725 Energy Partners, Ltd., to provide untreated water from Lake Lewisville in Denton County - Estimated Revenue: \$17,989

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 43 was brought up for consideration.

Councilmember Rasansky moved to defer the item until an April meeting, recommended by the city manager.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0816

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 44-52, were presented for consideration.

Agenda items 46, 48, 51 and 52 were removed from the consent zoning docket, to be considered as individual hearings.

- Agenda item 44: Zoning Case Z056-140 (RB)
- Agenda item 45: Zoning Case Z056-126 (DW)
- ~~Agenda item 46: Zoning Case Z056-137 (WE)~~ **[Considered individually]**
- Agenda item 47: Zoning Case Z056-138 (WE)
- ~~Agenda item 48: Zoning Case Z056-142 (RB)~~ **[Considered individually]**
- Agenda item 49: Zoning Case Z056-144 (DW)
- Agenda item 50: Zoning Case Z056-146 (DW)
- ~~Agenda item 51: Zoning Case Z045-257 (JH)~~ **[Considered individually]**
- ~~Agenda item 52: Zoning Case Z056-135 (DW)~~ **[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 Fantroy 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 Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0817

Item 44: Zoning Case Z056-140 (RB)

Zoning Case Z056-140 (RB), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR Community Retail District located on the northwest corner of Ledbetter Drive and Tyrone Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26277.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0818

Item 45: Zoning Case Z056-126 (DW)

Zoning Case Z056-126 (DW), an application for and an ordinance granting a Specific Use Permit for a Fire Station and a resolution accepting the termination of existing deed restrictions on property zoned a TH-1(A) Townhouse District, at the southwest corner of Hampton Road and Kirnwood Drive.

(The city plan commission recommended approval for a permanent time period, subject to a site plan, landscape plan and conditions and approval of the termination of the existing deed restrictions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26278.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0819

Item 46: Zoning Case Z056-137 (WE)

The consent zoning docket, consisting of agenda items 44-52, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and 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 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 46 was brought up for consideration.

A public hearing was called on zoning case Z056-137 (WE), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR Community Retail District located on the northeast corner of Arapaho Road and Meadowcreek Drive.

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

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

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

David Kirk, 11830 Webb Chapel Rd.

Councilmember Natinsky moved to close the public hearing, accept the recommendation of the city plan commission with the following additional conditions:

- “Section 2. 1. USE. The only use authorized by this SUP is a tower/antenna for cellular communication limited to a monopole cellular tower.
- Section 2. 4. CELL TOWER: Antennas mounted to the cell tower must be flush mounted. Flush mounted means that the antenna is mounted as close as physically possible to the monopole tower. In addition, the distance from the monopole tower to the outermost projection of the antenna may not exceed 24 inches” and pass the ordinance.

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06-0819

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Motion seconded by Councilmember Koop and unanimously adopted.

Assigned ORDINANCE NO. 26279.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0820

Item 47: Zoning Case Z056-138 (WE)

Zoning Case Z056-138 (WE), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District located on the southeast line of Ferguson Road, between Hibiscus Drive and Pasteur Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26280.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0821

Item 48: Zoning Case Z056-142 (RB)

The consent zoning docket, consisting of agenda items 44-52, was presented.

Councilmember Thornton Reese requested that consent zoning docket item 48 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 48 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Thornton Reese' request.

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

A public hearing was called on zoning case Z056-142 (RB), an application for and an ordinance granting an IR Industrial Research District and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned a CS Commercial Service District, with a Dry Liquor Control Overlay on a portion of the site on the east line of South Central Expressway, south of Bateman Avenue.

(The city plan commission recommended approval of an IR Industrial Research District, with retention of the Dry Liquor Control Overlay, and approval of a Specific Use Permit for an Industrial (outside) not potentially incompatible for a Concrete batch plant for a ten-year period, subject to a site plan and conditions.)

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

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

Oscar Ward, no address given

Councilmember Thornton Reese moved to postpone the application until the June 14, 2006 voting agenda meeting of the city council and to continue the public hearing at that time, in order to finalize plans for improvements in the surrounding area and meet with neighborhood groups in the area.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0822

Item 49: Zoning Case Z056-144 (DW)

Zoning Case Z056-144 (DW), an application for a Planned Development District for RS-C Regional Service-Commercial Subdistrict Uses on property zoned an RS-C Regional Service-Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, at the north corner of Good-Latimer Expressway and Coombs Street with consideration being given to and an ordinance granting an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595.

(The city plan commission recommended approval, of an RS-MU Regional Service Mixed-Use Subdistrict in lieu of the requested Planned Development District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26281.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0823

Item 50: Zoning Case Z056-146 (DW)

Zoning Case Z056-146 (DW), an application for and an ordinance granting the creation of a new subarea within Planned Development District No. 215 for SC Shopping Center District and MF-3 Multiple-family District uses, on the east side of Noel Road, south of Alpha Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26282.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0824

Item 51: Zoning Case Z045-257 (JH)

The consent zoning docket, consisting of agenda items 44-52, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and 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 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 51 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.

A public hearing was called on zoning case Z045-257 (JH), an application for an MF-2(A) Multifamily District with deed restrictions and an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant on property zoned an IR Industrial Research District on the northeast side of Maple Avenue, northwest of Kimsey Drive.

(The city plan commission recommended approval, subject to deed restrictions and an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.)

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

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

Robert Baldwin, 401 Exposition, representing the applicant

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0824

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Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- “1. A six foot tall privacy opaque fence around the three sides of the property that is not facing Maple Avenue.
2. A six foot wide sidewalk along Maple Avenue.
3. No public parking along the cul-de-sac and the installation of no parking signs.
4. Security lights affixed to the building looking out on the front and rear of the structure.
5. No multifamily use.
6. All brick on the outside structure”

Motion seconded by Councilmember Griffith.

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

Voting Yes:	[11]	Miller, Hill, Medrano, Salazar, Chaney, Fantroy, Griffith, Blaydes, Koop, Natinsky, Hunt
Voting No:	[2]	Garcia, Oakley
Abstain:	[1]	Rasansky
Absent when vote taken:	[1]	Thornton Reese

Mayor Miller declared the motion adopted.

Note: The unit price will be in the range of \$200,000 - \$350,000.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0825

Item 52: Zoning Case Z056-135 (DW)

The consent zoning docket, consisting of agenda items 44-52, was presented.

Councilmember Griffith requested that consent zoning docket item 52 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 52 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Griffith's request.

Later in the meeting, zoning docket item 52 was brought up for consideration.

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.)

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

Robert Miklos, 1717 Main St., representing Medallion Shopping Center
Dawn Morales, 6001 Skillman
Lisa Payne, 6001 Skillman
John Hidale, 6001 Skillman
Arlie Frantiz, 6001 Skillman

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

Robert Reeves, 900 Jackson St., representing the applicant

Councilmember Griffith moved to postpone the application until the April 26, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0826

Item 53: Public Hearing - Zoning Case Z045-225 (DW)

The consent zoning docket, consisting of agenda items 44-52, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and 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 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 53 was brought up for consideration.

A public hearing was called on zoning case Z045-225 (DW), an application for a Planned Development District for A(A) Agricultural District uses plus Recreational, Residential, Lodging, and Institutional and Community Service uses and the termination of Specific Use Permit No. 965 on property zoned an A(A) Agricultural District with Specific Use Permit No. 965 for a private recreation center, club or area and Planned Development District No. 226 for single family uses on the northeast corner of Grady Niblo Road and Kiwanis Road and an ordinance granting a planned Development District on the A(A) Agricultural District portion of the site and an ordinance terminating Specific Use permit No. 965.

(The city plan commission recommended approval of a Planned Development District excluding properties that are currently zoned Planned Development District No. 226, subject to a conceptual plan and conditions and approval of the termination of Specific Use Permit No. 965 for a private recreation center, club or area.)

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

Frank Bracken, 5717 Kiwanis Rd.
Sharon Wilkins, 5610 Pleasant Ridge Dr.
John T. Baker, no address given

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

Mike Coker, 2700 Swiss Ave., representing the applicant

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06-0826

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

“Removing reference to residential from Section (d) under Section 103, Section 106 (b) (iii) that refers to residence for staff and caretakers lodging and remove Section 108 (b)(c)(d)(f)(h) which references any residential uses in this planned development district”

and pass the ordinance.

Motion seconded by Councilmember Blaydes and unanimously adopted.

Assigned ORDINANCE NOS. 26283 AND 26284.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0827

Item 54: Public Hearing - Zoning Case Z045-269 (RB)

The consent zoning docket, consisting of agenda items 44-52, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and 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 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 54 was brought up for consideration.

A public hearing was called on a City Plan Commission authorized hearing to consider proper zoning with consideration being given to the granting of a residential subdistrict comprised of uses and development standards found in the R-5 through R-16 Single Family Residential Subdistricts within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Inwood Road, Rawlins Street, Hedgerow Drive, Cedar Springs Road, Carlson Drive, and Vandelia Street and an ordinance granting a Planned Development Subdistrict for Single Family uses.

(The city plan commission recommended approval of a Planned Development Subdistrict for Single family uses, subject to conditions.)

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

J.W. Fain, Sr., 3134 Carlson

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

Margaret L. Rey, 3211 Cherrywood

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

“the conditions recommended by the City Plan and Zoning Commission; a maximum of 400 square feet of non-impervious surface permitted in the required front yard”.

and pass the ordinance.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0827

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

Assigned ORDINANCE NO. 26285.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0828

Item 55: Public Hearing - Zoning Case Z056-145 (DW)

A public hearing was called on zoning case Z056-145 (DW), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District, at the east corner of Maple Avenue and Fielder Court and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.

(The city plan commission recommended approval, subject to an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.)

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

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

Mike Coker, 2700 Swiss Ave., representing the applicant

Councilmember Medrano moved to postpone the application until the April 26, 2006 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

March 8, 2006

06-0829

Item 56: Public Hearing - Zoning Case Z056-122 (DW) – UNDER ADVISEMENT

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.) Note: This item was considered by the City Council at a public hearing on February 8, 2006, and was held under advisement until March 8, 2006, with the public hearing open.)

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

Councilmember Oakley moved to close postpone the application until the April 26, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0830

Item 57: Public Hearing - DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing was called on consideration of amendments to Chapters 51, 51A, and 52 of the Dallas City Code, providing and defining a culpable mental state for offenses related to code violations which are punishable by a fine exceeding \$500; amending provisions making the agent of the property owner criminally responsible for code violations; and providing a penalty not to exceed \$2,000, 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 Salazar and unanimously adopted.

Assigned ORDINANCE NO. 26286.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0831

Item 58: Public Hearing - DEVELOPMENT CODE AMENDMENTS – CONSENT

A public hearing was called on consideration of amendments to Section 51A-1.106, “Notification Signs Required to be Obtained and Posted,” of Chapter 51A of the Dallas Development Code to allow notification signs for Board of Adjustment compliance cases to be posted in the public right-of-way and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

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. 26287.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0832

Item 59: Public Hearing - DEVELOPMENT CODE AMENDMENTS – CONSENT

A public hearing was called on consideration of amendments to Section 51A-4.602(d), “Visual Obstruction Regulations,” of Chapter 51A, the Dallas Development Code, to permit encroachments into visibility triangles caused by roadway construction or right-of-way acquisition when the director of Public Works and Transportation determines the encroachment will not constitute a traffic hazard and clarify that structures that encroach into visibility triangles as a result of right-of-way acquisition or road construction are non-conforming structures 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.

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.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Blaydes voting “No”.

Assigned ORDINANCE NO. 26288.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0833

Item 60: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive comments on sidewalk paving, and water and wastewater adjustments Sidewalk Group 03-128, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with New Star Grading & Paving Company, lowest responsible bidder of three - \$447,097 - Financing: 2003 Bond Funds (\$414,947), Water Utilities Capital Improvement Funds (\$1,500), and Water Utilities Capital Construction Funds (\$30,650)

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

Councilmember Natinsky moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 26289.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0834

Item 61: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing 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

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

Deputy Mayor Pro Tem Garcia moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

Motion seconded by Councilmember Oakley and unanimously adopted.

Assigned ORDINANCE NO. 26290.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0835

Item 62: Public Hearing - FLOODPLAIN APPLICATION

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 12.56 acres of a 24.51 total acre tract of land, zoned Single Family Residential (R10), currently in the 100-year floodplain of Prairie Creek, located west of St. Augustine Road, north of Interstate 20, along Sandyland Boulevard, Fill Permit 05-11 - Financing: No cost consideration to the City

No one addressed the city council regarding the floodplain application.

Councilmember Fantroy moved to close the public hearing and approve the application.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0836

Note: Item Nos. 63 and 64
must be considered
collectively.

Downtown Connection TIF District

- Item 63: * A public hearing 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, which created the Downtown Connection TIF District and adopted the Plan for the Downtown Connection Tax Increment Financing District - Financing: No cost consideration to the City
- Item 64: * An ordinance amending Nos. 26020 and 26096 to amend the Project Plan and Reinvestment Financing Plan (Plan) for Tax Increment Financing Reinvestment Zone Number Eleven, City of Dallas, Texas (Downtown Connection TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to (a) amend the Downtown Connection TIF District boundary to exclude 2400 Bryan Street and 2215 Bryan Street (Crozier Tech), and (b) provide updated Anticipated Redevelopment Projects and Projected Increment Schedule information - Financing: No cost consideration to the City

No one addressed the city council regarding the Downtown Connection TIF District.

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

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Salazar, Chaney, Blaydes, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26291.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0837

Note: Item Nos. 65 and 66
must be considered
collectively.

Reinvestment Zone No. 64

- Item 65: * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 64, incorporating property on the north side of Interstate 30 at Cockrell Hill Road, for the purpose of granting a real property tax abatement to Turnpike West, LLC - Financing: No cost consideration to the City
- Item 66: * An ordinance designating property at Interstate 30 and Cockrell Hill Road, as City of Dallas Reinvestment Zone No. 64, for the purpose of granting a real property tax abatement to Turnpike West, LLC establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

No one addressed the city council regarding Reinvestment Zone No. 64.

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

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". (Salazar, Chaney, Blaydes, Hunt absent when vote taken)

Assigned ORDINANCE NO. 26292.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0838

Note: Item Nos. 67 and 68
must be considered
collectively.

Reinvestment Zone No. 64

Item 67: * Authorize a real property tax abatement agreement for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property; with Turnpike West, LLC for property located within City of Dallas Reinvestment Zone No. 64, at Interstate 30 and Cockrell Hill Road - Revenue: First year tax revenue estimated at \$12,238; ten-year tax revenue estimated at \$122,380; (Estimated revenue foregone for ten-year real property abatement is \$1,101,424)

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". (Salazar, Chaney, Blaydes, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0839

Note: Item Nos. 67 and 68
must be considered
collectively.

Reinvestment Zone No. 64

Item 68: * Authorize a 30 percent public infrastructure cost participation agreement with Turnpike West, LLC for the construction of public infrastructure to support the development of retail and industrial development at the north side of Interstate 30 and Cockrell Hill Road in Reinvestment Zone No. 64 - Not to exceed \$429,000 - Financing: 2003 Bond Funds

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Salazar, Chaney, Blaydes, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0840

Item 69: Public Hearing

A public hearing to receive comments in preparation of the FY 2006-07 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the FY 2006-07 Operating, Capital, Grant and Trust budgets:

Sydney Kay, 5718 Harvest Hill, representing Senior Affairs Commission
Mary Frances Hansen, 4697 Timberglen, representing Senior Affairs Commission
Bert Holmes, 4515 West Lawther, representing Senior Affairs Commission
Esther Davis, 2204 Millermore, representing Senior Affairs Commission

Councilmember Chaney moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0841

Item 70: Public Hearing

A public hearing to receive comments on the renewal of the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Deputy Mayor Pro Tem Garcia moved to close the public hearing.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0842

Item 71: 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 March 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 Salazar moved to appoint Randall Scott, representing the Dallas County Criminal Bar Association, to the Judicial Nominating Commission.

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

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

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

Councilmember Salazar moved to appoint Sandra Broden, chair, to the Martin Luther King, Jr. Center Board.

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

Councilmember Oakley moved to appoint Mark Baker, vice chair, to the Martin Luther King, Jr. Center Board.

Motion seconded by Councilmember Chaney and unanimously adopted.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0843

Item 72: Authorize a contract for the supply and installation of library shelving, furniture and appurtenances for the replacement Hampton-Illinois Branch Library located at 2919 S. Hampton - Libra-Tech Corporation, only bidder - \$127,658 - Financing: 2003 Bond Funds

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0844

Note: Item Nos. 73 and 74
must be considered
collectively.

I-30 Distribution, LP Incentives

Item 73: * Authorize a real property tax abatement agreement with I-30 Distribution, LP for the purpose of granting a ten-year abatement of 75 percent of the taxes on added value to the real property at Interstate 30 and Adler Road for a commercial warehouse development - Revenue: First year tax revenue estimated at \$29,668; Ten-year tax revenue estimated at \$348,599; (Estimated revenue foregone for ten-year real property abatement is \$1,045,797)

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

March 8, 2006

06-0845

Note: Item Nos. 73 and 74
must be considered
collectively.

I-30 Distribution, LP Incentives

Item 74: * Authorize a 30 percent public infrastructure cost participation agreement with I-30 Distribution, LP for the construction of public infrastructure to support development of a minimum of 720,000 square feet of commercial/industrial space south of Interstate 30 and Adler Road in a Texas Enterprise - Not to exceed \$519,073 - Financing: 2003 Bond Funds

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

March 8, 2006

06-0846

Item 75: Impoundment of Motor Vehicles

- * An ordinance amending Chapter 28 of the Dallas City Code to authorize the police to impound a motor vehicle at an accident scene if the vehicle's owner or operator fails to show evidence of financial responsibility -
Financing: No cost consideration to the City

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Blaydes.

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

Voting Yes: [13] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese,
Salazar, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt
Voting No: [2] Chaney, Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 26293.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0847

Item 76: Impoundment of Motor Vehicles

- * A resolution adopting policies and procedures relating to the impoundment of motor vehicles at accident scenes when the vehicle owners and operators fail to show evidence of financial responsibility as required by Chapter 601 of the Texas Transportation Code - Financing:
No cost consideration to the City

Councilmember Oakley moved to approve the resolution.

Motion seconded by Councilmember Blaydes.

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

Voting Yes: [13] Miller, Hill, Garcia, Medrano, Oakley, Thornton Reese,
Salazar, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt
Voting No: [2] Chaney, Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0848

Item 77: 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 \$4,826,597 to \$5,077,904 - Financing: Building Inspection Current Funds (\$80,000), 2002 Equipment Acquisition Contractual Obligation Notes (\$171,307)

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

March 8, 2006

06-0849

Closed Session

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

- City of Dallas v. Jim Lowenberg, et al., Appellees, No. 11-03-00061-CV
- Zackary N. Belton v. City of Dallas, Cause No. 04-12276-D
- Pedro A. Lopez, et al. v. City of Dallas, Civil Action No. 3:03-CV-2223-M
- Legal issues relating to proposed settlement of City of Dallas, Texas v. Hanover Insurance Co., Cause No. 04-11911-G

Personnel (Sec. 551.074 T.O.M.A.)

- Appointment of Deborah Watkins as City Secretary for City of Dallas

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.)

- City of Dallas v. Jim Lowenberg, et al., Appellees, No. 11-03-00061-CV
- Zackary N. Belton v. City of Dallas, Cause No. 04-12276-D
- Pedro A. Lopez, et al. v. City of Dallas, Civil Action No. 3:03-CV-2223-M
- Legal issues relating to proposed settlement of City of Dallas, Texas v. Hanover Insurance Co., Cause No. 04-11911-G

Personnel (Sec. 551.074 T.O.M.A.)

- Appointment of Deborah Watkins as City Secretary for City of Dallas

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0850

Addendum addition 1: Authorize (1) a contract for the construction of storm drainage and water and wastewater mains for Flora Street from Leonard Street to Routh Street, Jack Evans Street from Woodall Rodgers to Ross Avenue, and Leonard Street from Flora Street to Ross Avenue with AUI Contractors, L.P., lowest responsible bidder of two, in an amount not to exceed \$1,989,887, (2) the assignment of the construction contract to the Dallas Center for the Performing Arts Foundation, Inc. as the City's agent and construction manager for all purposes including inspection, supervision and coordination of construction work and, (3) the establishment of appropriations in the amount of \$1,989,887 in the Performing Arts Theater Advance Fund - Financing: Private Funds (to be reimbursed from the proceeds of the sale of 2003 General Obligation Bonds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0851

Addendum addition 2: Authorize a contract for storm water improvements to repair the trash collection area at Dallas Farmers Market - Texas Standard Construction, Ltd., lowest responsible bidder of three - \$104,500 - Financing: 2004 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0852

Addendum addition 3: Authorize (1) an increase in the contract with Jennings Glass Contractors for window replacement related to the redevelopment of the Republic Center Tower I located at 300 N. Ervay Street, in an amount not to exceed \$63,750, from \$1,297,000 to \$1,360,750; (2) assignment of the contract to Ervay Residential Limited Partnership, Inc. for construction management; (3) a decrease in the payment to Ervay Residential Limited Partnership, Inc. for design reimbursement in an amount not to exceed (\$63,750), from \$2,092,401 to \$2,028,651; and (4) an extension of the completion deadline from September 30, 2006 to June 30, 2007 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0853

Addendum addition 4: Authorize (1) an increase in the contract with Key Construction, Inc. for historic rehabilitation related to the redevelopment of the Gulf States Building located at 1415 Main Street in an amount not to exceed \$80,878, from \$2,594,000 to \$2,674,878; (2) assignment of the contract to G.S. Murray Development for construction management; (3) a decrease in the payment to G.S. Murray Development for construction management in an amount not to exceed (\$80,878), from \$1,044,360 to \$963,482; (4) a revision to the number of required residential units from 68 to approximately 64 units; and (5) an extension of the project completion deadline from February 28, 2006 to October 31, 2006 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0854

Addendum addition 5: Authorize (1) an increase in the contract with Certified/LVI Environmental Services, Inc. for abatement and selective demolition at the Fidelity Union Life Buildings located at 1507 Pacific Avenue, 1511 Bryan Street and 318 N. Akard Street in an amount not to exceed \$594,955, from \$8,288,000 to \$8,882,955; (2) assignment of the contract to Hamilton Fidelity Development, LP; and (3) a decrease in the payment to Hamilton Fidelity Development, LP for design, reimbursables and construction management in an amount not to exceed (\$594,955), from \$712,000 to \$117,045 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0855

Addendum addition 6: Authorize an increase in the contract with Rebcon, Inc. to provide additional median and paving quantities, lane designation and traffic handling, and the storm water quality construction requirements for the South Central Addition Improvements, Phase I - \$339,076, from \$3,637,851 to \$3,976,927 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0856

Addendum addition 7: Authorize an increase in the contract with Rebcon, Inc. for the new Linfield Road Bridge, to provide safety items including fencing along the bridge rail, address the increased concrete rail cost and the construction sequencing for the relocation of TXU power and the railroad crossing signal for the South Central Addition Improvements, Phase I, Linfield Road Bridge - \$208,600, from \$1,419,964 to \$1,628,564 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0857

Addendum addition 8: Authorize an amendment to the Interlocal Agreement with the Texas Department of Transportation to allow federal project savings to be used for the Transportation Management System upgrade using bond funds for the City's match and to increase the contract time - \$137,100 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0858

Addendum addition 9: Authorize (1) rescinding the contract with Piazza Construction, LTD for the construction of the Fire Station No. 38 replacement facility at 2839 Wilhurt Avenue, previously approved on December 14, 2005 by Resolution No. 05-3587, in the amount of \$2,694,341; and (2) a contract for the construction of the Fire Station No. 38 replacement facility at 2839 Wilhurt Avenue with JE Dunn Construction, best value proposer of ten - \$2,799,980 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0859

Addendum addition 10: An ordinance abandoning surface and air rights on and over a portion of an alley to Walter T. Pearson, Jr., and M. Heather Paterson-Pearson, the abutting owners, containing approximately 81 square feet of land located near the intersection of Gaston Avenue and Ridgeway Street, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26294.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0860

Addendum addition 11: An ordinance abandoning a portion of Directors Row to Labatt Food Service, LP, the abutting owner, containing approximately 21,458 square feet of land located at its intersection with Monetary Drive, and authorizing the quitclaim - Revenue: \$136,795 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that addendum addition item 11 be considered as an individual item. Mayor Miller stated that addendum addition item 11 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 11 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 26295.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0861

Addendum addition 12: Authorize a service contract to provide facilities for an assessment center for promotional testing for Police Sergeant candidates, with the best value bidder of two - Fairmont Hotel Dallas - Not to exceed \$102,374 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition item 12 be considered as an individual item. Mayor Miller stated that addendum addition 12 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 12 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0862

Addendum addition 13: Authorize the purchase of flood lights and poles for Fair Oaks Park located at 7600 Fair Oaks with the lowest responsible bidder of two - Wesco Distribution, Inc. - Not to exceed \$107,716 - Financing: Current Funds (to be fully reimbursed by 2003 Bond Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0863

Addendum addition 14: Authorize a professional services contract to provide strategic budget development services, Phase II - Public Strategies Group - Not to exceed \$123,000 - Financing: Current Funds (to be reimbursed by private donations)

Mayor Pro Tem Hill requested that addendum addition item 14 be considered as an individual item. Mayor Miller stated that addendum addition item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Later in the meeting, addendum addition item 14 was brought up for consideration.

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

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0864

Addendum addition 15: Ratify an increase in the contract with Gibson & Associates, Inc., for the construction of the terminal apron repairs at Dallas Love Field to provide emergency repairs of below grade fuel lines located on the east concourse apron in the interest of public safety and environmental hazards - Not to exceed \$331,714, from \$1,848,662 to \$2,180,376 - Financing: Federal Aviation Administration Airport Improvement Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0865

Addendum addition 16: Authorize settlement of the lawsuit styled Jaime Chavez, et al. v. Mark DeLaPaz, et al., Civil Action No. 3:04-CV-0510-K - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0866

Addendum addition 17: Authorize Supplemental Agreement No. 2 to the development agreement with Dunhill 1530 Main L.P. for the redevelopment of 1530 Main Street and 1524 Main Street (Joule Hotel) to reflect revised terms to (1) extend the project deadline from January 1, 2007 to December 31, 2007, (2) remove the health club and spa requirement, (3) combine and increase the private investment on both buildings from \$24,000,000 to \$31,500,000, and (4) increase the number of hotel rooms from 108 to 114 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0867

Addendum addition 18: Authorize the issuance of tax-exempt bonds to be issued by Tarrant County Cultural Education Facilities Finance Corporation in an amount not to exceed \$100,000,000 for the benefit of Northwest Senior Housing Corporation - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0868

Addendum addition 19: Public Hearing - Zoning Case Z045-296 (RB)

A public hearing was called on zoning case Z045-296 (RB), an application for and an ordinance granting an amendment to the Conceptual Plan and conditions for Planned Development District No. 174 for Retirement housing, Assisted living, Convalescent and nursing home, Multiple family, Hotel, Office, Game court center, Private recreation club, Private club, Medical clinic, Electrical substation, and those retail uses permitted as limited uses in an Office 2 District located on the west corner of Lemmon Avenue and Carlisle Street.

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

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 approve the ordinance with the following changes to Paragraph 51P-174.110(g)(5):

“Permeable surface area. A minimum of 10 percent of the Property area must be open space in the form of permeable surfaces such as perimeter landscape buffer strip, recreation area, conservation area, or crushed gravel. Discrete open space areas smaller than 25 square feet or less than five wide and landscaping in the public right-of-way are not counted towards this 10 percent requirement” and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted.

Assigned ORDINANCE NO. 26296.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0869

Addendum addition 20: Authorize the appointment of Deborah Watkins as City Secretary for the City of Dallas for a two-year term beginning on March 15, 2006 - Financing: No additional cost consideration to the City

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 511.074 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0871

Addendum addition 21: Authorize a resolution in support of a pre-application waiver for Texas Department of Housing and Community Affairs 9% low income housing tax-credits and/or tax-exempt bond and 4% low income housing tax credit financing for the rehabilitation of the City Walk at Akard Project to be located at 511 North Akard into 209 multifamily units - Financing: No cost consideration to the City

Councilmember Hunt moved to approve the resolution.

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".

Note: Mayor Miller stated that a Special Meeting would be called for March 28, 2006 at 10:00 a.m. in order to approve a resolution supporting the awards of 9% and 4% housing tax credits in pursuit to Section 50.5(a)(7)(B) of the qualified allocation plan.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0870

Addendum addition 22: Adoption of a Concurrent Resolution by the City Councils of the Cities of Dallas and Fort Worth requesting the U.S. Congress to refrain from taking any further action regarding the Wright Amendment to allow the Cities an opportunity to work towards developing a plan for addressing air operations and aviation needs in the North Central Texas region (via Mayor Miller)

The following individuals addressed the city council regarding the resolution:

Betty Culbreath, 1636 Bar Harbor

Patricia White, 4714 Wildwood Rd., representing Love Field Citizens Action Committee

Councilmember Koop moved to amend sections 1 and 2 of the resolution to change the date from October 1, 2006 to June 14, 2006.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0872

Addendum addition 23: Authorize the adoption of a Cultural Facilities Naming Rights Policy (the Policy) which articulates the general criteria and procedure for naming certain city-owned cultural facilities as well as the scope of the Policy, amending Resolution No. 02-3206, previously approved on November 13, 2002, adopting a revised Cultural Policy and Program which articulates the guiding principles, goals and methods through which the City seeks to meet the future culture needs of the community - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Artis Thornton, Jr., 736 Havenwood Dr., representing Thornton Foundation of Arts

Councilmember Fantroy moved to defer the item until the April 26, 2006 voting agenda meeting of the city council.

Motion seconded by Councilmember Medrano and unanimously adopted. (Salazar, Chaney, Blaydes, Hunt absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0873

Addendum addition 24: Authorize (1) the issuance and sale of up to \$51,000,000 in Downtown Dallas Development Authority Contract Tax Increment Revenue Bonds for the Mercantile project improvements; (2) approval of the Preliminary Official Statement, Trust Indenture and Bond Resolution; and, (3) enacting other provisions in connection therewith - Financing: This action has no cost consideration to the City

Councilmember Koop moved to approve the item.

Motion seconded by Councilmember Blaydes.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Mayor Pro Tem Hill voting "No". (Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0874

Addendum addition 25: Authorize the preparation of plans for the issuance of an amount not to exceed \$266,000,000 in Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2006 - Financing: This action has no cost consideration to the City

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:

Voting Yes:	[8]	Miller, Garcia, Medrano, Oakley, Thornton Reese, Fantroy, Griffith, Koop
Voting No:	[2]	Natinsky, Rasansky
Absent when vote taken:	[5]	Hill, Salazar, Chaney, Blaydes, Hunt

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0875

Addendum addition 26: Authorize an increase in the contract with JRJ Paving, L.P. for the construction of additional excavation, storm sewer and water improvements for Beckleymeade Avenue from Hampton Road to the Dallas Independent School District Athletic Complex - \$263,153, from \$1,756,307 to \$2,019,460 - Financing: 2003 Bond Funds

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Hill, Salazar, Chaney, Blaydes, Hunt absent when vote taken)

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

EXHIBIT C

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

06-0770

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]

CORRECTIONS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 8, 2006

06-0868

Addendum addition 19: Public Hearing - Zoning Case Z045-296 (RB)

A public hearing was called on zoning case Z045-296 (RB), an application for and an ordinance granting an amendment to the Conceptual Plan and conditions for Planned Development District No. 174 for Retirement housing, Assisted living, Convalescent and nursing home, Multiple family, Hotel, Office, Game court center, Private recreation club, Private club, Medical clinic, Electrical substation, and those retail uses permitted as limited uses in an Office 2 District located on the west corner of Lemmon Avenue and Carlisle Street.

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

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 approve the ordinance with the following changes to Paragraph 51P-174.110(g)(5):

“Permeable surface area. A minimum of 10 percent of the Property area must be open space in the form of permeable surfaces such as perimeter landscape buffer strip, recreation area, conservation area, or crushed ~~rock~~ gravel. Discrete open space areas smaller than 25 square feet or less than five wide and landscaping in the public right-of-way are not counted towards this 10 percent requirement” and pass the ordinance.

Motion seconded by Councilmember Medrano and unanimously adopted.

Assigned ORDINANCE NO. 26296.