

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 12, 2006

06-1030

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

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

ABSENT: [1] Thornton Reese

The meeting was called to order at 9:16 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 1:22 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.

4\12\2006 4:10 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 12, 2006

EXHIBIT A

4\12\2006 4:10 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 12, 2006

EXHIBIT B

4\12\2006 4:10 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1031

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: Opher Barber, 2502 Southwood
REPRESENTING: S.A.T.
SUBJECT: Pleasant Grove Multi-Purpose Center

SPEAKER: Albert Parker, 6318 Elam Rd.
SUBJECT: The search for truth from the mayor

SPEAKER: Richard Sheridan, 3022 Morris Ln.
SUBJECT: Easter, Government, IRS

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Asbestos Health Alert in West Dallas

SPEAKER: Billy MacLeod, 2524 Elm St.
SUBJECT: Hardy Well Done to City of Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Craig Jordan, 4034 Rawlins St.
REPRESENTING: American Airlines
SUBJECT: The Wright Amendment

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: On going problem with corrupt Dallas police officers, code compliance

4\12\2006 4:10 P.M.
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1032

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

Councilmember Oakley moved to approve the minutes.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted.
(Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1033

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-66 and addendum addition consent agenda item 2, were presented for consideration.

The city secretary announced that the city manager 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 later in the meeting, there being no objection voiced to her request.

The city secretary announced that the city manager had deleted consent agenda item 26 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Deputy Mayor Pro Tem Garcia requested that consent agenda items 16 and 62 be considered as individual items. Mayor Miller stated that consent agenda items 16 and 62 be considered as individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Councilmember Natinsky requested that consent agenda items 20 and 42 be considered as individual items. Mayor Miller stated that consent agenda items 20 and 42 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 5, 13, 16, 45, 50 and 54 be considered as individual items. Mayor Miller stated that consent agenda items 5, 13, 16, 45, 50 and 54 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 26, which was deleted, and consent agenda items 3, 5, 13, 16, 20, 42, 45, 50, 54 and 62 which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Garcia unanimously adopted. (Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1034

Item 2: Authorize a professional services contract with GSR Andrade Architects, Inc., for the renovation of the Traffic Management Center in City Hall located at 1500 Marilla Street - \$40,500 - Financing: Texas Department of Transportation Advance Transportation Management System Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1035

Item 3: Authorize (1) a professional services contract with GSR Andrade Architects, Inc., for the renovation of the Emergency Operations Center in City Hall located at 1500 Marilla in the amount of \$40,000, and (2) an increase in appropriations in the amount of \$217,000 in the Office of Emergency Management's budget - Total not to exceed \$40,000 - Financing: Contingency Reserve Funds (\$217,000), Current Funds (\$40,000)

The city manager 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 later in the meeting, there being no objection voiced to her request.

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

Councilmember Medrano moved to approve the item, as corrected.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1036

Item 4: Authorize professional services contracts with 29 consulting firms for the engineering design of 8 alley petitions projects, 36 alley reconstruction projects, 2 erosion control projects, 4 flood management projects, 5 storm drainage relief system projects, 11 street petitions projects, 8 street reconstruction projects, 3 streetscape/urban design projects, 1 target neighborhood project and 2 thoroughfare projects (list attached) - Total not to exceed \$3,887,210 - Financing: 1995 Bond Funds (\$31,097), 2003 Bond Funds (\$3,277,323), Water Utilities Capital Improvement Funds (\$578,790)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1037

Item 5: Authorize a contract for the replacement of the fire escape stairs at the Majestic Theater located at 1925 Elm Street - The Gilbert Construction Group, Inc., lowest responsible bidder of two - \$622,500 - Financing: Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 5 be considered as an individual item. Mayor Miller stated that consent agenda item 5 would be considered as an individual later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 5 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1038

Item 6: Authorize a contract for building foundation repairs at the Kleberg Recreation Center located at 1515 Edd Road - Hasen Design Build and Development, lowest responsible bidder of four - \$238,310 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1039

Item 7: Authorize a contract for the reconstruction of alley paving and storm drainage improvements for Alley Group 03-2015 - New Star Grading & Paving Construction Company, lowest responsible bidder of six - \$284,900 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1040

Item 8: Authorize a contract for the construction of street paving, storm drainage, and water and wastewater improvements on Haines Avenue from Wickford Street to West Colorado Boulevard - Camino Construction, L.P., lowest responsible bidder of six - \$495,196 - Financing: 2003 Bond Funds (\$303,564), Water Utilities Capital Construction Funds (\$7,675), Water Capital Improvement Funds (\$183,957)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1041

Item 9: Authorize a contract for the construction of street paving and storm drainage improvements for a lane reconfiguration at 2900 McKinney Avenue - Gibson and Associates, Inc., lowest responsible bidder of three - \$54,165 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1042

Item 10: Authorize a contract for storm water improvements to modify the storm water collection areas at 20 fire stations - North Texas Contracting, Inc., lowest responsible bidder of two - \$1,773,750 - Financing: 2004 Certificates of Obligation (\$1,513,050), 2005 Certificates of Obligation (\$260,700)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1043

Item 11: Authorize a contract for the construction of water and wastewater main replacements and rehabilitation at 11 various locations - OCI-Omega Contracting, Inc., lowest responsible bidder of three - \$6,098,848 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1044

Item 12: Authorize a contract for the construction of water and wastewater main replacements and rehabilitation at 21 various locations - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - \$5,524,521 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1045

Item 13: Authorize an increase in the contract with TurJac Construction, Ltd., for the interior renovation of the fifth floor to provide a new signage system at the J. Erik Jonsson Central Library located at 1515 Young Street - \$42,934, from \$765,347 to \$808,281 - Financing: Library Gifts and Donations 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 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 Chaney 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". (Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1046

Item 14: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on IH 30 and Jim Miller Road - \$43,005 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1047

Item 15: Authorize an increase in the agreement with the Town of Addison for reimbursement of a 10-inch air release valve at Arapaho Road between Midway Road and Addison Road - \$67,689, from \$18,310 to \$85,999 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1048

Item 16: Authorize the release of automatically extinguished code enforcement liens, as required by the title company on the pending real estate transaction, at 812 N. Marsalis Avenue impressed on the property between 1992 - 2002 - Financing: No cost consideration to the City

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

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

Deputy Mayor Pro Tem Garcia moved to defer the item until the May 10, 2006 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted. (Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1049

Item 17: Authorize the quitclaim of 15 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders - Revenue: \$184,002

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1050

Item 18: An ordinance granting a private license to LCT-Mathews Joint Venture for the use of approximately 1,690 square feet of land to maintain five existing awnings over portions of Ames Street and Berkshire Lane rights-of-way - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26297.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1051

Item 19: An ordinance granting a revocable license to Toscana Pizza, Inc. for the use of approximately 273 square feet of land to construct, use and maintain a sidewalk cafe on a portion of McKinney Avenue right-of-way located near its intersection with Haskell Avenue - Revenue: \$1,253 plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26298.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1052

Item 20: An ordinance granting a revocable license to CBS Outdoor Group, Inc. for the purpose of installing, operating and maintaining kiosks on public rights-of-way not open to vehicular traffic in connection with a kiosk advertising concession contract - Estimated Revenue: \$21,325,000 plus the \$20 ordinance publication fee

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

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

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

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26299.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1053

Item 21: An ordinance abandoning a portion of a sanitary sewer easement to Chariot Place, L.P., the abutting owner, containing approximately 2,128 square feet of land located near the intersection of Trace Road and Chariot Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26300.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1054

Item 22: An ordinance granting a private license to Reunion Hotel, L.P. for the use of approximately 641 square feet of land to maintain the existing planter walls and steps on a portion of Reunion Boulevard right-of-way located near its intersection with Sports Place - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26301.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1055

Item 23: An ordinance granting a private license to MJAF & M Joint Venture for the use of approximately 366 square feet of land to maintain existing parking areas in portions of the Greenville Avenue right-of-way located near its intersection with Lavalley Lane - Revenue: \$1,000 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26302.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1056

Item 24: A resolution authorizing a reduction of the minimum bid amount from \$200,000 to \$100,000 for an unwanted and unneeded tract of City-owned land containing approximately 32,229 square feet located near the intersection of Winding Creek Road and Schafer Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1057

Item 25: A resolution authorizing a reduction of the minimum bid amount from \$71,640 to \$35,820 for an unwanted and unneeded tract of City-owned land containing approximately 39,800 square feet located near the intersection of Spring Avenue and Cross Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1058

Item 26: A resolution authorizing the conveyance of wastewater easements across five tracts of City-owned land at Lake Ray Hubbard containing a total of approximately 10 acres to the City of Rowlett located near the intersection of Interstate 30 and Dalrock Road - Financing: No cost consideration to the City

The city secretary announced that the city manager had deleted consent agenda item 26 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1059

Item 27: Authorize a sixty-month service contract for janitorial services at City Hall and various locations including police stations, police storefronts, service centers, libraries and Water Utilities with the lowest responsible bidders of six - CTJ Maintenance, Inc. in the amount of \$7,344,162 and Andrew's Building Service, Inc. in the amount of \$3,699,475 - Total not to exceed \$11,043,637 - Financing: Current Funds (\$9,702,659), Water Utilities Current Funds (\$1,340,978)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1060

Item 28: Authorize a thirty-six-month master agreement for Detroit Diesel parts to repair and maintain emergency Fire-Rescue apparatus and equipment with the lowest responsible bidder of two - Stewart & Stevenson Services - Not to exceed \$180,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1061

Item 29: Authorize a thirty-six-month master agreement for cardiac and injectable drugs for Fire-Rescue units with the lowest responsible bidders of two - Ever Ready First Aid & Medical Supply in the amount of \$630,797 and Bound Tree Medical, LLC in the amount of \$371,127 - Total not to exceed \$1,001,924 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1062

Item 30: Authorize a twelve-month service contract for database access for Real-Time Homework Support Online Service for the Dallas Public Library with the only bidder - Tutor.Com - Not to exceed \$142,630 - Financing: Children Center Trust Funds (\$100,000), Central Library Gift & Donations Funds (\$42,630)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1063

Item 31: Authorize (1) the rejection of bids received for supply and service of roll carts; and, (2) the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1064

Item 32: Authorize a thirty-six-month master agreement for Caterpillar brand parts and labor with Holt Texas, LTD - Sole Source - Not to exceed \$4,708,852 - Financing: Current Funds (\$4,618,852), Water Utilities Current Funds (\$90,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1065

Item 33: Authorize a twenty-four-month master agreement for concrete products with the lowest responsible bidders of two - Southern Star Concrete, Inc. in the amount of \$3,838,931 and Custom Crete in the amount of \$5,978,437 - Total not to exceed \$9,817,368 - Financing: Current Funds (\$7,385,087), Water Utilities Current Funds (\$2,432,281)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1066

Item 34: Authorize a thirty-six-month master agreement for replacement belts for specialized machinery with the lowest responsible bidder of four - Asten Johnson Specialty Holdings, Inc. dba Sitos Texas - Not to exceed \$140,984 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1067

Item 35: Authorize a thirty-six-month master agreement for cured-in-place pipe with the only bidder - Insituform Technologies, Inc. - Not to exceed \$1,667,548 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1068

Item 36: Authorize (1) the rejection of the only bid received for electric switchgear and motor repair; and, (2) the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1069

Item 37: Authorize a thirty-six-month master agreement for water meter casting, risers and cast iron inlet frame and covers with the lowest responsible bidders of three - Doug Meadows Co. LLC in the amount of \$81,140, CDR Systems Corp. in the amount of \$18,120; and Bass and Hayes Foundry, Inc. in the amount of \$5,323,427 - Total not to exceed \$5,422,687 - Financing: Water Utilities Current Funds (\$5,034,237), Current Funds (\$388,450)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1070

Item 38: Authorize settlement of the lawsuit styled Opal Brunston and Angela Horton v. City of Dallas, Cause No. 05-00826-I - Not to exceed \$20,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1071

Item 39: Authorize settlement of the lawsuit styled Carolyn Montgomery v. City of Dallas, Cause No. CC-05-07070-F - Not to exceed \$8,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1072

Item 40: Authorize a Memorandum of Understanding with the State of Texas to establish procedures for interoperable two-way radio communications between the City and State agencies - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1073

Item 41: Authorize a fixed payment in lieu of payment for actual nonresidential moving and related expenses for Tho K. Phung and Be Tran, dba TMG Grocery Beer & Wine, who will be displaced as a direct result of real property acquisition of 5302 Bexar Street in conjunction with the Bexar Street Redevelopment Project as a part of the Neighborhood Investment Program - Not to exceed \$20,000 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1074

Item 42: Authorize a boundary adjustment agreement with the City of Richardson on property located south of Frankford Road and west of Waterview Parkway -
Financing: No cost consideration to the City

Councilmember Natinsky requested that consent agenda item 42 be considered as an individual item. Mayor Miller stated that consent agenda item 42 would be considered as an individual later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting, agenda item 42 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1075

Item 43: Authorize amendments to Resolution Nos. 05-3600 and 05-3601 previously approved on December 14, 2005, authorizing a development agreement with Harvest NPE, L.P. for development of a mixed-use, transit oriented project located in the Vickery Meadow TIF District at the southeast corner of Park Lane and North Central Expressway (Park Lane) to (a) extend the completion date for Park Lane Phase I, \$280,000,000 investment from October 31, 2008, to December 31, 2009 and for other phases to reach \$350,000,000 in total investment until December 31, 2011; (b) authorize the City Manager, upon review and approval of the Vickery Meadow TIF Board of Directors, to approve extensions of the completion date up to six months for the hotel and residential components of the development; (c) correct the legal name of the developer from Harvest NPE, Ltd., to Harvest NPE, L.P.; and (d) specify the requirements for a certificate of occupancy that pertain to 1,500,000 square feet of development - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1076

Item 44: An ordinance (1) approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District); and (2) authorizing a participation agreement with Dallas County for the Design District TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26303.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1077

Item 45: An ordinance (1) approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District); and (2) authorizing a participation agreement with Dallas County for the Deep Ellum TIF District - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 45 be considered as an individual item. Mayor Miller stated that consent agenda item 45 would be considered as an individual later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 45 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 Medrano moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26304.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1078

- Item 46: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number One, (State-Thomas TIF District), submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1079

Item 47: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1080

Item 48: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1081

Item 49: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1082

Item 50: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 would be considered as an individual later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 50 was brought up for consideration.

Councilmember Hunt moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1083

Item 51: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1084

Item 52: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1085

Item 53: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1086

Item 54: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 54 be considered as an individual item. Mayor Miller stated that consent agenda item 54 would be considered as an individual later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Griffith moved to approve the resolution.

Motion seconded by Councilmember Blaydes.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1087

Item 55: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1088

Item 56: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1089

Item 57: A resolution accepting the FY 2004-05 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1090

Item 58: Authorize (1) the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2006 through April 30, 2007; and (2) execution of the grant agreement - Not to exceed \$409,080 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1091

Item 59: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide mosquito testing for West Nile Virus for the period May 1, 2006 through September 30, 2006 - Not to exceed \$8,750 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1092

Item 60: Authorize the reconstruction on-site of a home in accordance with the Replacement Housing Program Statement requirements for the property located at 1903 Kraft Street - \$70,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1093

Item 61: Authorize (1) the preparation of plans for the issuance of \$23,800,000 in Homeless Assistance Facilities General Obligation Bonds, Series 2006; and, (2) the establishment of appropriations in an amount not to exceed \$23,950,666 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1094

Item 62: Authorize (1) the acceptance of the Dallas Police Department Video Surveillance Grant from the Meadows Foundation to provide for the purchase, installation and maintenance of a video surveillance camera system in the Central Business District, for the period of October 1, 2006 through September 30, 2007, and (2) execution of the grant agreement - Not to exceed \$840,000 - Financing: Meadows Foundation Grant Funds

Deputy Mayor Pro Tem Garcia requested that consent agenda item 62 be considered as an individual item. Mayor Miller stated that consent agenda item 62 would be considered as an individual later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Later in the meeting, agenda item 62 was brought up for consideration.

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1095

Item 63: Authorize application for sixth-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period July 1, 2006 through June 30, 2007 - Total not to exceed \$61,750 (local match in an amount not to exceed \$12,350 will be required if awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1096

Item 64: An ordinance amending Chapter 28 of the Dallas City Code to create a civil offense for a red light violation at a camera-enforced intersection; provide defenses and presumptions; provide requirements, procedures, and fees relating to the administrative adjudication of a civil red light violation; provide for an appeal to municipal court; provide powers, duties, and functions of the director, enforcement officers, and hearing officers; and provide for the imposition, collection, and disposition of civil fines, penalties, and costs for a civil red light violation - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26305.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1097

Item 65: Authorize (1) an Interlocal Agreement with the Texas Department of Transportation for the reimbursement of costs for materials and labor provided by the City for vehicle detector replacement at 44 signalized locations and signal timing improvements at 146 locations (list attached), in an amount not to exceed \$146,691, and (2) a required local match, which includes administrative and inspection fees, in an amount not to exceed \$22,591 - Total not to exceed \$169,282 - Financing: Texas Department of Transportation Grant Funds (\$146,691), Current Funds (\$22,591)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1098

Item 66: Authorize an Interlocal Agreement with the North Central Texas Council of Governments to provide traffic engineering services to update traffic signal timings and signal progression at 146 locations - \$102,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1099

Item 67: Public Hearing - FLOODPLAIN APPLICATION 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, on January 25, 2006, and again on February 22, 2006, and was taken under advisement until April 12, 2006, with the public hearing open.

No one addressed the city council regarding the application.

Councilmember Natinsky moved to close the public hearing and approve the application with the following changes:

- 1) The foundation of any building at this location must be raised on columns made of natural material such as concrete (i.e. no decomposable matter may be used for the columns) so that the lowest floor is at least three feet above the design flood elevation;
- 2) The area below the lowest floor of the building must remain open, except for support columns, for conveyance and valley storage for floodwater;
- 3) The owner of the property must provide a floodway easement on the floodplain area below the structure such that owner is liable for the maintenance of the floodplain area; and
- 4) The floodplain (FP) prefix may be removed at the elevation of the lowest floor of the building and above after a survey indicates the lowest floor is at least three feet above the design flood elevation.
- 5) The owner of the property is required to comply with the Tree Mitigation Plan dated April 12, 2006, submitted to the City of Dallas.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1100

Item 68: Public Hearing - FLOODPLAIN APPLICATION UNDER ADVISEMENT

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 15.31 acres of a 32.06 total acre tract of land, zoned Light Industrial District, currently in the 100-year floodplain of the Trinity River located on Pemberton Hill Road, south of Elam Road and north of Loop 12 at the Trinity River, Fill Permit 05-07 - 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 again on January 25, 2006, and was taken under advisement until April 12, 2006, with the public hearing open.

No one addressed the city council regarding the application.

Councilmember Oakley moved to defer the item until the June 14, 2006 voting agenda meeting of the city council with the public hearing open.

Motion seconded by Councilmember Garcia and unanimously adopted. (Salazar, Rasansky, Hunt absent when vote taken; Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1101

Item 69: 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 April 12, 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 Koop moved to appoint Danny Harrison, to the Reinvestment Zone Six Board (Farmers Market).

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

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

06-1108 RZ06 REINVESTMENT ZONE SIX BOARD (FARMERS MARKET)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1102

Item 70: An ordinance authorizing (1) the issuance and sale of \$266,000,000 in Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2006; accepting bids and awarding the sale of the bonds; (2) approval of the Preliminary Official Statement; and, (3) other provisions in connection therewith - Not to exceed \$548,000 - Financing: Water Utilities Current Funds **(To be considered before 12:00 noon)**

Councilmember Griffith moved to approve the bond ordinance authorizing the issuance and sale of \$255,375,000 in Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2006; accepting bids and awarding the sale of bonds; approval of the Preliminary Official Statement; and other provisions in connection therewith to Merrill Lynch & Co., being the best bid.

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

Assigned ORDINANCE NO. 26306.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1103

Item 71: Authorize a Memorandum of Understanding between the Dallas Independent School District Police Department and the Dallas Police Department to facilitate communication and coordination in the provision of service to the citizens of Dallas, Dallas County and/or the State of Texas for the period August 1, 2005 through July 31, 2006 - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted. (Rasansky absent when vote taken; Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1104

Addendum addition 1: Approval of Minutes of the March 28, 2008 Special City Council Meeting

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted.
(Thornton Reese absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1105

Addendum addition 2: Authorize re-adoption of the Public/Private Partnership Program Guidelines and Criteria for Non-Residential Projects, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax code, Chapter 312), governing tax abatement agreements and other city incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

Approved as part f the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1106

Closed Session

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

- Harold Cox et al. v. City of Dallas et al., Civil Action No. 3:98-CV-0291-H
- Legal issues related to document production under a subpoena duces tecum dated July 29, 2005 and a federal court order dated June 25, 2005, and related matters

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.)

- Harold Cox et al. v. City of Dallas et al., Civil Action No. 3:98-CV-0291-H
- Legal issues related to document production under a subpoena duces tecum dated July 29, 2005 and a federal court order dated June 25, 2005, and related matters

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 12, 2006

06-1107

Special Recognitions

At the beginning of the City Council meeting the mayor took time to recognize special individuals or groups for special presentations.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 12, 2006

EXHIBIT C

4\12\2006 4:10 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS