

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2006

06-1450

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

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

ABSENT: [1] Hill

The meeting was called to order at 9:29 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.

Luigi Rosales, Sunset High School, led the pledge of allegiance.

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

After all business properly brought before the city council had been considered the city council adjourned at 3:14 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.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2006

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2006

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1451

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Rich Sheridan, 3022 Forest Ln.
SUBJECT: Council discretionary and the budget funds

SPEAKER: Albert Parker, 6318 Elam Rd.
SUBJECT: Reporting an issue to the Mayor

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: A flock of birds

SPEAKER: Don Clowers, 4020 Nazzarne Dr., Carrollton, TX.
REPRESENTING: Grace Church International
SUBJECT: Invitation to a Hope Rwanda Banquet

OPEN MICROPHONE - END OF MEETNG

SPEAKER: Judy Murry, 3135 Nandina Dr.
SUBJECT: Community Concerns

SPEAKER: Mardrie White, 3135 Nandina Dr.
SUBJECT: Neighborhood drug traffic and abandoned property

OPEN MICROPHONE - END OF MEETNG - SPOKE IN THE LAST 30 DAYS:

SPEAKER: Ozumba Lnuke-X, 4106 Vineyard Dr., (Dist. 3) (214-329-7082)
SUBJECT: Corrupt DPD, code compliance and Mayor

SPEAKER: John Conrad, 5101 Stanton Ct.
REPRESENTING: American Airlines-the 1200 Dallas County Pilots
SUBJECT: Wright Amendment

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1452

Item 1: Approval of Minutes of the May 10, 2006 City Council Meeting

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1453

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-38 and addendum addition consent agenda items 1-6, were presented for consideration.

The City Secretary announced a speaker had requested to speak on all items.

The following citizen addressed all items:

Kevin Felder, 8404 Capriola Ln.

The City Secretary announced the City Manager had deleted consent agenda items 34 and 35 from the agenda in accordance with Subsection 7.11 of the City Council Rules of procedures.

The City Secretary requested that consent agenda items 7 and 8 be considered as individual items to allow citizens to speak. Mayor Miller stated that consent agenda items 7 and 8 would be considered as individual items later in the meeting to allow citizens to speak, there being no objection voiced to the City Secretary's request.

Councilmember Rasansky requested that consent agenda items 5, 17, 32, 36 and 37 and addendum addition consent agenda items 2 and 4 be considered as individual items. Mayor Miller stated that consent agenda items 5, 17, 32, 36 and 37 and addendum addition consent agenda items 2 and 4 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Medrano requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Councilmember Chaney requested that consent agenda item 30 be considered as an individual item. Mayor Miller stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 34 and 35 which were deleted and consent agenda items 5, 7, 8, 17, 29, 30, 32, 36, 37 and addendum addition consent agenda items 2 and 4 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1454

Item 2: Authorize a professional services contract with Shrickel, Rollins and Associates, Inc. for design development, construction drawings, bidding and construction administration for the playground renovations and parking lot expansion at Pleasant Oaks Park located at 8700 Greenmound Avenue - \$44,401 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1455

Item 3: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for topographic survey, site development plan, schematic design, design development, construction documents, bidding and construction administration for a sprayground and playground at T.G. Terry Park located at 2400 Lagow - \$48,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1456

Item 4: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for topographic survey, site development plan, schematic design, design development, construction documents, bidding and construction administration for a sprayground, playground and pavilion at Ferguson Park located at 1900 Gross Road - \$86,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1457

Item 5: Authorize (1) rescinding the professional services contract with Gary Cunningham Architects and Planners previously approved on June 23, 2004 by Resolution No. 04-2029 for schematic design, design development, construction documents, bidding and construction administration for connection of sprayground to sanitary sewer, redevelopment and re-pave parking area, lighting, removal of existing picnic pavilion and replace with medium pavilion at Daniieldale Park; and, (2) a professional services contract with BCI Architects for topographic survey, schematic design, design development, construction documents, bidding and construction administration services for a new pavilion and parking lot redevelopment at Daniieldale Park located at 500 West Wheatland Road - \$42,600 - Financing: 2003 Bond 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 item 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 Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1458

Item 6: Authorize a professional services contract with Biggs and Mathews Environmental for the design and the preparation of construction bid documents for Waste Cell No. 6 at the McCommas Bluff Landfill - Not to exceed \$53,200 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1459

Item 7: Authorize a contract for playground equipment, site furnishings, parking area and stone retaining wall at Hillview Park located at 8525 Freeport - Henneberger Construction, Inc., lowest responsible bidder of two - \$121,529 - Financing: 2003 Bond Funds

The city secretary requested that consent agenda item 7 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 7 would be considered as an individual item later in the meeting to allow citizens to speak, there being no objection voiced to the city secretary's request.

Later in the meeting agenda item 7 was brought up for consideration.

(At the time the item was considered the speaker requested to speak on addendum addition individual item 7)

Councilmember Oakley moved to approve the item.

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

After discussion, Councilmember Oakley withdrew his motion to approve the item.

Councilmember Rasansky also withdrew his second to the motion.

Later in the meeting, Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1460

Item 8: Authorize a decrease in the contract with Turner Construction Company for adding bird anti-escape protection, repairing the existing roof penetrations at skylights and vents, storm water system modifications and re-routing the storm water connection to the Lacerte Family Children's Zoo central system for the interactive bird exhibit at the Dallas Zoo located at 650 South R. L. Thornton Freeway - (\$16,352), from \$657,534 to \$641,182 - Financing: 2003 Bond Funds

The city secretary requested that consent agenda item 8 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 8 would be considered as an individual item later in the meeting to allow citizens to speak, there being no objection voiced to the city secretary's request.

Later in the meeting agenda item 8 was brought up for consideration.

(At the time the item was considered the speaker requested to speak on addendum addition individual item 8)

Councilmember Thornton-Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1461

Item 9: Authorize an increase in the contract with Riverway Contractors and Management, Inc. for the construction of concrete sidewalks for connection to the softball complex at Kiest Park located at 3080 South Hampton Road - \$61,514, from \$247,227 to \$308,741 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1462

Item 10: Authorize Supplemental Agreement No. 1 to the professional services contract with Alan Plummer & Associates, Inc. for design modifications to revise the alignment for the proposed Elam Creek Channel, Phase I, from Lake June Road to Seco Boulevard - \$90,548, from \$93,951 to \$184,499 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1463

Item 11: Authorize a Project Specific Agreement with Dallas County for the design and construction of paving and storm drainage improvements at the intersections of Inwood Road at University Boulevard and Gaston Avenue at Munger Boulevard - \$187,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1464

Item 12: Authorize an Advanced Funding Agreement with the Texas Department of Transportation for water main improvements and water utility relocations in Preston Road from Lloyd Drive to President George Bush Turnpike - \$254,245 - Financing: Water Utilities Capital Improvement Funds (\$239,145), Water Utilities Capital Construction Funds (\$15,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1465

Item 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 20,443 square feet of land improved with a single family home located near the intersection of Arturo and Lakeland Drives from Rudolph M. Salvato and Lilia I. Salvato, Trustees of the Rudolph and Lilia Salvato Living Trust, for the Ash Creek Drainage Project - \$146,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1466

Item 14: Authorize payment of a judgment in the lawsuit styled City of Dallas v. Pacifico Partners, Ltd., et al, for acquisition of a sidewalk easement containing approximately 1,150 square feet for the Main - Commerce Pedestrian Way Project, located near the intersection of Commerce and Ervay Streets - Not to exceed \$64,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1467

Item 15: An ordinance abandoning to Bristol Munger Properties, L.L.C., the abutting owner, certain air rights over approximately 1,148 square feet of Munger Avenue located near its intersection with North Akard Street, and authorizing the quitclaim - Revenue: \$56,252 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26348.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1468

Item 16: A resolution authorizing the conveyance of a wastewater easement containing approximately 28,072 square feet of land and a temporary working space easement containing approximately 77,150 square feet of land to the Trinity River Authority located in the Elm Fork Greenbelt near Union Bower and Proctor Roads - Revenue: \$568

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1469

Item 17: An ordinance abandoning Middlegate Road containing approximately 32,248 square feet of land and various easements containing approximately 90,399 square feet of land to Countess Diana, Ltd., the abutting owner, located near the intersection of Royal Lane and Inwood Road in exchange for the dedication of approximately 32,248 square feet of land for private streets plus easements, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 17 be considered as an individual item. Mayor Miller stated that consent agenda item 17 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 17 was brought up for consideration.

Councilmember Rasansky moved to defer the ordinance until the June 14, 2006 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1470

Item 18: Authorize a twenty-month extension, with one three-month renewal option, to the lease agreement with WLS-JASC Children's Partnership for approximately 4,000 square feet of office and warehouse space located at 1808 Canton Street to be used for personal property storage space for the homeless clients utilizing the Day Resource Center for the period June 1, 2006 through January 31, 2008 - Not to exceed \$46,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1471

Item 19: Authorize a twenty-four-month master agreement for treated dome guardrail posts with the lowest responsible bidder of two - Fox-Gal Wholesale Lumber Company - Not to exceed \$105,025 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1472

Item 20: Authorize a twenty-four-month master agreement for asphalt emulsion with the lowest responsible bidder of three - Sem Material - Not to exceed \$165,036 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1473

Item 21: Authorize a six-month master agreement for asphalt and cold patch material with the lowest responsible bidder of three - APAC-Texas, Inc. - Not to exceed \$2,484,294 - Financing: Current Funds

Approved as part of the consent agenda.

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1474

Item 22: Authorize a thirty-six-month master agreement for cast iron fittings with the only bidder - Hughes Supply, Inc. - Not to exceed \$556,083 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1475

Item 23: Authorize the purchase of two sewer system cleaning and internal television pipe inspection trucks from Rush Truck Center, through the Houston Galveston Area Council, a local government cooperative purchasing program - Not to exceed \$312,484 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1476

Item 24: Authorize a thirty-six-month master agreement for quicklime to be used for water and wastewater treatment, with the only bidder - Texas Lime Company
- Not to exceed \$12,481,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1477

Item 25: Authorize a thirty-six-month master agreement for barricades and barricade warning lights with the lowest responsible bidders of two - Hipoint Technology, LLC in the amount of \$98,500, and Dyna Engineering LTD in the amount of \$342,550 - Total not to exceed \$441,050 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1478

Item 26: Ratify an emergency engineering services contract to investigate, analyze and design repairs for the slab failures in the primary settling basin at the Elm Fork Water Treatment Plant - Camp, Dresser & McKee, Inc. - \$195,088 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1479

Item 27: Ratify emergency repairs to 1,625 square feet of the floor slab in the primary settling basin at the Elm Fork Water Treatment Plant - Archer Western Contractors, Ltd. - \$106,920 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1480

Item 28: Authorize a post-judgment settlement agreement in an appeal styled J. F. Hoover v. City of Dallas, Cause No. 05-05-00945-CV, concerning the property located at 2000-2002 Leacrest Drive, which authorizes the City to accept a settlement of this appeal from J. F. Hoover, and to release the abstract of judgment and lis pendens against the property owned by J. F. Hoover - Revenue: \$6,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1481

Item 29: An ordinance granting an MU-2 Mixed Use District on 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 and a resolution accepting deed restrictions volunteered by the applicant - Z056-145 - Financing: No cost consideration to the City

Councilmember Medrano requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Later in the meeting agenda item 29 was brought up for consideration.

Councilmember Medrano moved to defer the ordinance until the deed restrictions were presented to the staff.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1482

Item 30: Authorize adoption of By-Laws for Tax Increment Financing Zone Number Thirteen (Grand Park South TIF District) - Financing: No cost consideration to the City

Councilmember Chaney requested that consent agenda item 30 be considered as an individual item. Mayor Miller stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting agenda item 30 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 Thornton-Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1483

Item 31: Authorize adoption of By-Laws for Tax Increment Financing Zone Number Fourteen (Skillman Corridor TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1484

Item 32: Authorize **(1)** rescinding Resolution No. 05-0358, previously approved on January 26, 2005, for the redevelopment of 1608 Main Street **(2)** amendments to Resolution Nos. 03-2455 and 03-2456, previously approved on September 10, 2003, and Resolution No. 04-1714, previously approved on May 26, 2004, for the redevelopment of 1608 Main Street, to **(a)** reduce the private investment from \$3,300,000 to \$2,144,000 in order for it to be in proportion with the public investment, **(b)** modify the payment schedule to allow reimbursement of a portion of the TIF Funds upon completion of environmental remediation/demolition, a portion of upon shell completion, and the remainder upon retail tenant Certificate of Occupancy and expenditure of remainder of private funds, **(c)** add a deadline for completion of tenant improvements, and **(3)** funding for the construction of the southern portion of the pedestrian easement in an amount not to exceed \$465,500 - Total not to exceed \$465,500 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 32 be considered as an individual item. Mayor Miller stated that consent agenda item 32 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 32 was brought up for consideration.

Councilmember Hunt moved to approve the item.

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1485

Item 33: Authorize (1) establishment of the Joppa Neighborhood Economic Development Program pursuant to Chapter 380 of the Texas Local Government Code to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Joppa Neighborhood area; and (2) an economic development grant agreement with Halff Associates, Inc. for development of the Joppa Rodeo in accordance with the Joppa Neighborhood Economic Development Program - Not to exceed \$72,168 - 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

May 24, 2006

06-1486

Item 34: Authorize **(1)** a development agreement with FF Development, LP (Fairfield) to provide funding for the design, engineering, professional services and construction of public improvements for the Fairfield at Cityplace, a Mixed-Use High-Density project located at 3700 McKinney Avenue in Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District); and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$3,000,000 from future Cityplace Area TIF revenues in accordance with the development agreement - \$3,000,000 - Financing: To be funded by a private developer and reimbursed from the Cityplace TIF District Fund and/or Tax Increment Bond; reimbursement of private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1487

Item 35: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, (Cityplace Area TIF District) to reimburse FF Development, LP (Fairfield) up to \$3,000,000 for certain TIF eligible project costs related to the development of the Fairfield at Cityplace, a Mixed-Use High Density project located at 3700 McKinney Avenue in the Cityplace Area TIF District - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1488

Item 36: Authorize (1) additional funding and policy amendments to the City of Dallas Main Street District Initiative Loan and Grant Program, previously approved on October 22, 2003, by Resolution No. 03-2884 pursuant to Chapter 380 of the Texas Local Government Code to be administered by the City of Dallas - Economic Development Division to promote development and to stimulate business and commercial activity within the downtown retail core area, and (2) the City Manager to execute grant agreements with potential retailers in accordance with the Main Street District Loan and Grant Program's Retail Recruitment Initiative - \$669,900 - Financing: Public/Private Partnership Funds

Councilmember Rasansky requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 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 36 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 Hunt moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1489

Item 37: Authorize (1) an increase in the service contract with DOWNTOWN DALLAS/Central Dallas Association for leasing/marketing partner services for the Main Street District Retail Recruitment Initiative for additional marketing/leasing services and, (2) a twelve-month extension of the service contract from May 25, 2006 to May 25, 2007 - Not to exceed \$61,875, from \$247,500 to \$309,375 - Financing: Public/Private Partnership Funds

Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 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 37 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 Hunt moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain; Hill absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1490

Item 38: Authorize (1) a public hearing to be held on June 14, 2006 to receive comments on re-adopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law, and at the close of the public hearing, (2) consideration of the readoption of Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1491

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 39-51 were presented for consideration.

Agenda items 39, 42 and 50 were removed from the consent zoning docket, to be considered as individual hearings.

| | |
|--|----------------------------------|
| Agenda item 39: Zoning Case Z056-169 (WE) | [Considered individually] |
| Agenda item 40: Zoning Case Z056-182 (RB) | |
| Agenda item 41: Zoning Case Z056-185 (JH) | |
| Agenda item 42: Zoning Case Z056-189 (WE) | [Considered individually] |
| Agenda item 43: Zoning Case Z056-190 (WE) | |
| Agenda item 44: Zoning Case Z056-193 (WE) | |
| Agenda item 45: Zoning Case Z056-196 (DW) | |
| Agenda item 46: Zoning Case Z056-198 (DW) | |
| Agenda item 47: Zoning Case Z056-202 (JH) | |
| Agenda item 48: Zoning Case Z056-204 (WE) | |
| Agenda item 49: Zoning Case Z056-205 (WE) | |
| Agenda item 50: Zoning Case Z056-208 (RB) | [Considered individually] |
| Agenda item 51: Zoning Case Z056-153 (WE) | |

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

Appearing to speak on the zoning consent agenda items was:

William Hopkins, 2011 Leath St.

Councilmember Oakley moved to close the public hearing, accept the recommendation of the city plan commission on 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 Natinsky and unanimously adopted. (Hill absent.)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1492

Item 39: Zoning Case Z056-169 (WE)

The consent zoning docket, consisting of agenda items 39-51, were presented.

An application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District, on the east and west sides of Manderville Lane, north of Blair Road, and south of Royal Lane

(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 Rasansky moved to postpone the application until the June 28, 2006 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Salazar.

After discussion, Councilmember Rasansky withdrew his motion to postpone the application until the June 28, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

Councilmember Salazar also withdrew his second to the motion.

Later in the meeting, Councilmember Rasansky move to postpone consideration of the application until the June 14, 2006 voting agenda meeting of the city council, and continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1493

Item 40: Zoning Case Z056-182 (RB)

An application for and an ordinance granting an amendment to the conditions for Specific Use Permit No. 1381 for a Group residential facility and Community service center on property zoned Planned Development District No. 539 for CR Community Retail District Uses and a Group residential facility with the Dry Liquor Control Overlay on the east corner of Graham Avenue and Philip Avenue

(The city plan commission recommended approval of an amendment to the conditions providing for a five-year period with eligibility for automatic renewals for additional five-year periods.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26349.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1494

Item 41: Zoning Case Z056-185 (JH)

An application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment use to be used as a bar, lounge or tavern on property zoned an RR Regional Retail District on the northeast corner of Park Lane and Central Expressway/U.S. Highway No. 75

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26350.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1495

Item 42: Zoning Case Z056-189 (WE)

The consent zoning docket, consisting of agenda items 39-51, were presented.

Councilmember Fantroy requested that consent zoning item 42 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning item 42 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

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

An application for and an ordinance granting an amendment to Specific Use Permit No. 1175 for a community service center and a private recreation center, club or area, on property zoned an R-7.5(A) Single Family District on the southwest corner of East Ledbetter Drive and Corrigan Avenue

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

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

Councilmember Fantroy moved to postpone the application until the June 14, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1496

Item 43: Zoning Case Z056-190 (WE)

An application for and an ordinance granting a Planned Development District for a transit passenger station and R-5(A) Single Family District uses on property zoned a CC Community Commercial Subdistrict and an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the south line of Scyene Road, west of Hatcher Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26351.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1497

Item 44: Zoning Case Z056-193 (WE)

An application for and an ordinance granting a new subdistrict within Planned Development No. 462, for mixed residential, retail and office uses on the west line of Henderson Avenue, between Capital Avenue and Fuqua Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26352.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1498

Item 45: Zoning Case Z056-196 (DW)

An application for and an ordinance granting a Specific Use Permit for single family uses on property zoned Tract 12 within Planned Development District No. 508 and an ordinance terminating Specific Use Permit No. 759 on the south side of Bickers Street, east of Westmoreland Road

(The city plan commission recommended approval a permanent time period, subject to a site plan/development plan and approval of the termination of SUP No. 759 for a community, welfare and health center.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26353 AND 26354.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1499

Item 46: Zoning Case Z056-198 (DW)

A City Plan Commission authorized hearing to consider proper zoning on property zoned a CR Community Retail District, generally on the four corners of Vilbig Road and Homeland Street and an ordinance granting an R-5(A) single family district

(The city plan commission recommended approval of an R-5 (A) Single Family District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26355.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1500

Item 47: Zoning Case Z056-202 (JH)

An application for and an ordinance granting a CH Clustered Housing District on property zoned an R-7.5(A) Single Family District on the south side of Umphress Road, west of Burnet Court and an resolution accepting deed restriction volunteered by the applicant

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26356.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1501

Item 48: Zoning Case Z056-204 (WE)

An application for and an ordinance granting an R-10(A) Single Family District on property zoned an A(A) Agricultural District southwest of Middlefield Road at the terminus of Bicentennial Lane

(The city plan commission recommend approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26357.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1502

Item 49: Zoning Case Z056-205 (WE)

An application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an NO(A) Neighborhood Office District on the east line of Westmoreland Road, south of Watership Lane

(The city plan commission recommend approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26358.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1503

Item 50: Zoning Case Z056-208 (RB)

The consent zoning docket, consisting of agenda items 39-51, were presented.

Councilmember Fantroy requested that consent zoning item 50 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning item 50 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

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

An application for and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned an IR Industrial Research District on the northwest corner of Commerce Street and Manila Road

(The city plan commission recommended approval for a five-year period, subject to a site plan and conditions.)

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

Councilmember Oakley moved to close the public hearing and to approve the application city plan recommendation with the following changes:

“With a caveat, of one five year automatic renewal period.”

and pass the ordinance.

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

Assigned ORDINANCE NO. 26359.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1504

Item 51: Zoning Case Z056-153 (WE)

An application for and an ordinance granting a Specific Use Permit for a Pedestrian Skybridge on property zoned CA-1A Central Area District located on Munger Avenue, between Akard Street and St. Paul Street

(The city plan commission recommended approval for a 40 year period, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26360.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1505

Item 52: Zoning Case Z056-114 (WE)

An application for and an ordinance granting a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast corner of McKinney Avenue and Harwood Street

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

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

Mike Garrett, 1999 McKinney Ave.

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

Owen McCrory, 1919 McKinney Ave.

Frank Stitch, 4224 N. Hall St.

Clay Malcolmson, 3502 Edgewater St.

Jonathan Vinson, 901 Main St., representing the applicant

Councilmember Hunt move to close the public hearing and following the city plan recommendation for approval of a planned development subdistrict with the changes shown on the revised portions of the ordinance distributed to the city council at this hearing:

- "1) Section S-68.106(b)(1); [~~If the Woodall Rodgers Freeway deck park is completed,~~ ~~€]~~ The only main uses permitted in the area A-1 are local utilities, residential uses (limited to common area) and retail uses at street level, and residential uses above street level. Accessory parking is permitted below grade only in Area A-1.
- 2) Section S-68.108 (e)(2); (e) Floor area. (2) Maximum non-residential floor area is 463,000 [462,561] square feet, except that up to an additional 12,000 square feet is permitted for a ground floor restaurant use in Area A-1.
- 3) Section S-68.111 (f); (f) Open spaces. Area A-1 must be preserved as open space until that portion of the Woodall Rodgers Freeway deck park adjacent to the Woodall Rodgers Freeway frontage road adjacent to the Property is completed,

or until the owner elects to construct both the retail and residential uses permitted in Area A-1, whichever occurs first. Open space may not include motor vehicle parking and must have a minimum of 60 percent permeable coverage.

- 4) Section S-68.114. SKYLINE ARCHITECTURAL FEATURE. The skyline architectural feature must: (1) be constructed no higher than 295 feet above grade within Area E; (2) include [~~consist of~~] a curvilinear-topped ridge, no more than 10 feet in width, traversing the length of the roof of the office tower, from northwest to southeast, parallel to Olive Street and Harwood Street and may include other features within the maximum height set forth in this section;

and pass the ordinance.”

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

Assigned ORDINANCE NO. 26361.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1506

Item 53: Zoning Case Z056-159(JH)

An application for and an ordinance granting an amendment to Specific Use Permit No. 1465 for a community service center on property zoned Planned Development District No. 67, on the northwest corner of University Boulevard and Roper Street

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 51A4.701 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 has been signed by the owners of 20 percent or more of either the land in the area of the request of land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

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

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

Councilmember Hunt moved to hold the application under advisement until June 28, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1507

Item 54: Zoning Case Z056-191 (WE)

An application for and an ordinance granting an amendment to the Tract III conditions and conceptual plan and an ordinance granting a Specific Use Permit for a financial institution with a drive-in window within Subdistrict D-1 of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the northeast corner of Zang Boulevard and Colorado Boulevard

(The city plan commission recommended approval of the amendment to Tract III and approval of the specific Use Permit for a ten-year period with eligibility for automatic renewals for additional 15 years period , subject to a site plan and conditions.)

No one appearing in opposition to the city plan commission recommendation.

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

Larry Good, 2808 Fairmont St., representing the applicant

Deputy Mayor Pro Tem Garcia moved to close the public hearing and accept the recommendation of the city plan commission with the following changes:

“Remand the Planned Development District amendment portion of this case to the City Plan Commission to allow for proper notification and follow the City Plan Commission's recommendation of approval of a Specific Use Permit for a financial institution with drive-in window with the ordinance and site plan to return to the City Council when the Planned Development District amendment is scheduled for City Council consideration.”

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1508

Item 55: Zoning Case Z056-179 (DW)

An application for and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District and Planned Development District No. 535 on the northeast side of C.F. Hawn Freeway, northwest of Haymarket Road

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 51A4.701 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 has been signed by the owners of 20 percent or more of either the land in the area of the request of land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

(The city plan commission recommended approval for a five-year period, subject to a site plan and conditions.)

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

Eugene Thomas, 5654 Winding Woods Trail
Linda Taylor, 10817 C. F. Hawn Freeway

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

Lif Modabberi, representing the applicant
Mahdi Dezhm, 10600 C. F. Hawn Freeway

Councilmember Fantroy moved to close the public hearing, and deny the application with prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1509

Item 56: Zoning Case Z056-162 (DW)

An application for and an ordinance granting an amendment to Planned Development District No. 16 for RR Regional Retail District uses, with consideration given to and a resolution accepting an amendment to the beautification easement as it applies to a portion of this property to allow for the installation of landscaping, irrigation, and drainage improvements and to provide for the ongoing maintenance and preservation of the landscaping on the east side of Preston Road, north of LBJ Freeway

(The city plan commission recommended approval of an amendment to Planned Development District 16 subject to a landscape plan and conditions, and approval of an amendment to the beautification easement.)

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

Councilmember Natinsky moved to hold the application under advisement until June 14, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1510

Item 57: 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 May 24, 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 Medrano moved to appoint Ignacio Ramos, citizen at large, to Commission on Productivity and Innovation.

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

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

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

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

| | | |
|----------------|------------|--|
| 06-1523 | CPI | COMMISSION ON PRODUCTIVITY AND INNOVATION |
| 06-1524 | PAR | PARK AND RECREATION BOARD |
| 06-1525 | PLA | PERMIT AND LICENSE APPEAL BOARD |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1511

Item 58: An ordinance appointing Staci Williams as a full-time municipal judge for the City of Dallas Municipal Property Court of Record No. 9 for a two-year term beginning on May 31, 2006, and ending May 30, 2008 - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26362.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1512

Item 59: Authorize a professional services contract to conduct a job analysis/test validation study for the Police Physical Abilities Test with the most advantageous proposer of two - Fitness Intervention Technologies - Not to exceed \$55,152 - Financing: Current Funds

The city secretary announced that at the time agenda item 59 was considered and at the request of the City Manager that agenda item 59 be deleted from the agenda. To delete items not received in accordance with Subsection 7.11 of the City Council Rules of Procedure requires a two-third vote.

Councilmember Thornton Reese moved to suspend the rules in accordance with Subsection 7.11.

Motion seconded by Councilmember Koop.

After discussion, Mayor Miller called the vote on the motion to suspend the rules.

Mayor Miller declared the motion adopted. (Hill absent)

Councilmember Thornton-Reese moved to delete agenda item 59.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1513

Item 60: Authorize a twenty-four-month master agreement for aggregates including sandy loam, crushed limestone for flexbase, calcium carbonate, sand, and gravel with the lowest responsible bidders of six - Eagle Express Truck Services, Inc. in the amount of \$3,069,831, Hanson Aggregates in the amount of \$2,580,763, Martin Marietta Materials Southwest, Ltd. in the amount of \$2,355,629, Earth Haulers, Inc. in the amount of \$1,189,624 and Estes, Inc. in the amount of \$182,185 - Total not to exceed \$9,378,032 - Financing: Current Funds (\$4,246,747), Water Utilities Current Funds (\$5,131,285)

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1514

Closed Session

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

- Legal issues involving hotel occupancy tax collections by web based hotel booking companies

At 11:56 a.m. the Mayor announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Legal issues involving hotel occupancy tax collections by web based hotel booking companies

The Mayor reconvened the city council after the closed session at 1:30 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1515

Addendum addition 1: Authorize a contract for the replacement of the heating, ventilation and air conditioning system at Science Place One located at 1300 Ranger Drive - DMI Decker Mechanical, lowest responsible bidder of three - \$87,623 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1516

Addendum addition 2: Authorize a contract for demolition services for structures ordered demolished by the Urban Rehabilitation Standards Board, court orders, the emergency demolition of unsafe buildings due to fire damage, and the demolition of City-owned buildings as required - F. Hall Mowing Company, lowest responsible bidder of five - \$1,000,000 - Financing: Demolition Reserve Funds

Councilmember Rasansky requested that consent addendum addition item 2 be considered as an individual item. Mayor Miller stated that consent addendum addendum item 2 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 2 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1517

Addendum addition 3: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TXU Electric Delivery Company of approximately 100,056 square feet of land located near the intersection of St. Louis Street and Park Avenue for the proposed Homeless Assistance Center - \$2,400,000 - Financing: General Capital Reserve Funds (to be reimbursed upon issuance of the 2006 Homeless Assistance Facilities Bond Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1518

Addendum addition 4: A resolution authorizing the sale of approximately 32,865 square feet of unwanted and unneeded City-owned land which was advertised jointly with the adjacent Parkland Hospital property located at the intersection of Oak Lawn Avenue and the Dallas North Tollway to the highest bidder, Broadstone Parkland, L.P. - Revenue: \$1,221,384

Councilmember Rasansky requested that consent addendum addition item 4 be considered as an individual item. Mayor Miller stated that consent addendum addition item 4 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 4 was brought up for consideration.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1519

Addendum addition 5: An ordinance abandoning a portion of Annex Avenue to Lift Education, the abutting owner, containing approximately 1,515 square feet of land located at its intersection with Bryan Street, authorizing the quitclaim, and providing for the dedication of approximately 497 square feet of land needed for a street turnaround - Revenue: \$12,216 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26363.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1520

Addendum addition 6: Authorize a public hearing to be held on June 14, 2006 to receive comments regarding the proposed 2006 General Obligation Bond Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1521

Addendum addition 7: Authorize the adoption of a policy, effective May 24, 2006, to no longer accept applications for the use of the Community Development Block Grant for the acquisition, development, rehabilitation, or improvement of real property except for City-owned property (via Mayor Miller)

The following individual addressed the city council regarding the item:

Ken Green, 3011 Fairview Ave.

Councilmember Blaydes moved to approve the item with the following amendment:

“

- Strike Section 1 of the proposed resolution
- Add new Section 1 that reads, “That Section 3 of Resolution No. 02-1778, passed by the City Council on June, 12, 2002, that allows for consideration of a Community Development Block Grant (CDBG) economic development project each year in CDBG eligible neighborhoods, be deleted from Resolution No. 02-1778; provided, however, that the City Council may consider a CDBG economic development project in CDBG eligible neighborhoods with respect to the proposed FY 2006-2007 Consolidated Plan Budget”.

Motion seconded by Councilmember Natinsky.

Deputy Mayor Pro Tem Garcia moved to substitute for Councilmember Blaydes’ motion a motion to allow one brick and mortar project from CDBG Funds every other year.

Motion seconded by Councilmember Chaney.

After discussion, Mayor Miller called the vote on Deputy Mayor Pro Tem Garcia’s substitute motion to allow one brick and mortar project from CDBG Funds every other year.

| | | |
|-------------|-----|---|
| Voting Yes: | [6] | Garcia, Medrano, Thornton-Reese, Salazar, Chaney, Fantroy |
| Voting No: | [8] | Miller, Oakley, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt |
| Absent: | [1] | Hill |

Mayor Miller declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

Page 2

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

| | | |
|-------------|-----|---|
| Voting Yes: | [9] | Miller, Oakley, Fantroy, Griffith, Blaydes, Koop, Natinsky, Rasansky, Hunt |
| Voting No: | [5] | Garcia, Medrano, Thornton-Reese, Salazar, Chaney |
| Absent: | [1] | Hill |

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1522

Addendum addition 8: Authorize **(1)** adoption of the preliminary FY 2006-07 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$32,348,104 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$19,796,676, **(b)** HOME Investment Partnerships Program in the amount of \$8,460,845, **(c)** American Dream Down-Payment Initiative in the amount of \$179,338, **(d)** Emergency Shelter Grant in the amount of \$770,245, and **(e)** Housing Opportunities for Persons with AIDS in the amount of \$3,141,000; **(2)** adoption of the proposed FY 2005-06 Reprogramming Budget in the amount of \$2,128,501; and **(3)** a public hearing to be held on June 14, 2006 to receive comments on the proposed use of the funds - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Ken Green, 3011 Fairview Ave
Alfred Tilley, 531 Embrey Dr.
Hollis Brashear, 1424 W. Redbird Ln.

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2006

06-1526

FINANCIAL DISCLOSURE REPORTING – PUBLIC ANNOUNCEMENT

Pursuant to the Dallas City Code, Code of Ethics, 12A-19 (f)(1)(G)(ii), the City Secretary publicly announced to the city council the names of those who have not timely or completely filed a financial disclosure report and to whom notification was sent.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2006

EXHIBIT C