

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 28, 2006

06-1680

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

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

ABSENT: [0]

The meeting was called to order at 9:24 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.

Benjamin Meyer, W. T. White 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 9:21 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, JUNE 28, 2006

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 28, 2006

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1681

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: Albert Parker, 6318 Elam Rd.
SUBJECT: City of lights - 2601 Live Oak

SPEAKER: Rich Sheridan, 3022 Forest Ln.
SUBJECT: Calatrava Bridge and Trinity River Park

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

SPEAKER: Ron Holland, 5111 Ash Ln.
SUBJECT: Forward Dallas

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Ongoing problems created by corrupt DPD officers/Code Compliance/Mayor

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1682

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

Councilmember moved Oakley to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1683

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-75 and addendum addition consent agenda items 1-48, were presented for consideration.

The City Secretary announced the City Manager had deleted addendum addition consent agenda item 36 from the agenda in accordance with Subsection 7.11 of the City Council Rules of procedures.

The City Secretary requested that consent agenda item 45 and addendum addition consent agenda items 16 and 24 be considered as individual items to allow citizens to speak. Mayor Miller stated that consent agenda item 45 and addendum addition consent agenda items 16 and 24 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.

Mayor Miller requested that consent agenda items 55 and 56 be considered as individual items. Mayor Miller stated that consent agenda items 55 and 56 would be considered as individual items later in the meeting, there being no objection voiced to the Mayor Miller's request.

Mayor Pro Tem Hill requested that addendum addition consent agenda item 5 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 5 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

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

Councilmember Natinsky requested that addendum addition consent agenda item 48 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 10, 16, 19, 54, 71 and addendum addition consent agenda items 14, 17, 19, 21, 23, 37, 40, and 41 be considered as individual items. Mayor Miller stated that consent agenda items 10, 16, 19, 54, 71 and addendum addition consent agenda items 14, 17, 19, 21, 23, 37, 40, and 41 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-1683

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Councilmember Oakley moved to approve all items on the consent agenda with the exception of addendum addition consent agenda item 36 which was deleted and consent agenda items 10, 16, 19, 34, 45, 54, 55, 56, and 71 and addendum addition consent agenda items 5, 14, 16, 17, 19, 21, 23, 24, 37, 40, 41, and 48 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1684

Item 2: Authorize a professional services contract with Hidell and Associates Architects, Inc. to provide architectural and engineering services for the design of the replacement facility for the Pleasant Grove Branch Library to be located at 7310 Lake June Road - \$460,901 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1685

Item 3: Authorize a professional services contract with dsgn associates, inc. for architectural and engineering services for the design of the new Prairie Creek Branch Library to be located at the northeast corner of Lake June Road and North St. Augustine Road - \$399,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1686

Item 4: Authorize a professional services contract with Jacobs Civil, Inc. for the design of thoroughfare improvements on Motor Street from Medical Center Drive to Harry Hines Boulevard - \$267,642 - Financing: 2003 Bond Funds (\$255,625), Water Utilities Capital Improvement Funds (\$10,017), and Wastewater Capital Improvement Funds (\$2,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1687

Item 5: Authorize a professional services contract with Alan Plummer Associates, Inc. for survey, design and construction administration services for storm water drainage modifications, Phase 2, at 27 fire stations (list attached) - \$271,475 - Financing: 2005 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1688

Item 6: Authorize a professional services contract with Kellogg Brown & Root Services, Inc. to provide engineering services, analysis, and design of the Bachman Dam and spillway - \$1,065,772 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1689

Item 7: Authorize a professional services contract with Malcolm Pirnie, Inc. to prepare a design report and the design of a new dewatering facility at the Southside Wastewater Treatment Plant - \$2,785,165 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1690

Item 8: Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide engineering design services for the replacement of water and wastewater mains at 33 locations (list attached) - \$855,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1691

Item 9: Authorize a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for a treated water system Water Quality Study - \$2,240,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1692

Item 10: Authorize a contract for the restoration of the existing pavilion, rest rooms, roadways and parking areas, landscape features and the construction of a new pedestrian walkway and an entrance gateway to Flagpole Hill at White Rock Lake Park located at Flagpole Hill Circle - The Gilbert Construction Group, Inc., best value proposer of five - Not to exceed \$1,278,401 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda item 10 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 10 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1693

Item 11: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, water and wastewater adjustments for the Sidewalk Replacement Program Group 02-06 (list attached) - Metric Concrete Services, Inc., lowest responsible bidder of six - \$164,545 - Financing: Capital Assessment Funds (\$146,311), Water Utilities Capital Construction Funds (\$17,784), and Wastewater Utilities Capital Construction Funds (\$450)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1694

Item 12: Authorize a contract for the construction of street resurfacing, sidewalks, storm drainage, water and wastewater main improvements on Davis Street from Cedar Hill Avenue to North Zang Boulevard - Gibson & Associates, Inc., lowest responsible bidder of two - \$1,687,384 - Financing: 2003 Bond Funds (\$805,009), Water Utilities Capital Improvement Funds (\$846,020), and Water Utilities Capital Construction Funds (\$36,355)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1695

Item 13: Authorize a contract for the construction of street paving and storm drainage improvements on Thomas Tolbert Avenue from Jefferies Street to Malcolm X Boulevard - Texas Standard Construction, Ltd., lowest responsible bidder of four - \$195,865 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1696

Item 14: Authorize a contract for the construction of water and wastewater main replacements and rehabilitation at 36 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - \$12,347,535 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1697

Item 15: Authorize an increase in the contract with Ed Bell Construction Company for the reconstruction of street paving, storm drainage, and water main improvements on Houston School Road from Wheatland Road to Camp Wisdom Road, to provide for the removal and construction of new precast concrete water manholes - \$90,579, from \$4,453,016 to \$4,543,595 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1698

Item 16: Authorize an increase in the contract with AUI Contractors, L.P., for the construction of an additional storm sewer main on the south side of Woodall Rodgers Freeway for the utility infrastructure project at the Dallas Center for the Performing Arts, Phase I - Not to exceed \$133,305, from \$2,010,251 to \$2,143,556 - Financing: Performing Arts Theater Advance Funds (to be reimbursed from the proceeds of the sale of 2003 General Obligation Bonds)

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

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1699

Item 17: Authorize an increase in the contract with P & E Contractors, Inc. for the construction of additional drainage relief improvements for the Gilford/Roanoke area between Harry Hines Boulevard and Thurston Drive - \$77,688, from \$1,876,246 to \$1,953,934 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1700

Item 18: Authorize (1) Supplemental Agreement No. 1 to the professional services contract with Huitt-Zollars, Inc. for utility burial and streetscape improvements for State-Thomas TIF District Group I in the amount of \$146,600, from \$145,730 to \$292,330; (2) Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. for additional paving, drainage, streetscape, utility burial, water and wastewater improvements for State-Thomas TIF District Group II in the amount of \$181,248, from \$201,201 to \$382,449; (3) Supplemental Agreement No. 1 to the professional services contract with Teague Nall and Perkins, Inc. for landscaping and streetscape improvements for State-Thomas TIF District Group III in the amount of \$34,870, from \$73,350 to \$108,220; and (4) Supplemental Agreement No. 1 to the professional services contract with GSWW, Inc. for additional paving, drainage, streetscape, water and wastewater improvements for State-Thomas TIF District IV in the amount of \$37,970, from \$249,815 to \$287,785 - Total not to exceed \$400,688 - Financing: State-Thomas TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1701

Item 19: Authorize (1) Supplemental Agreement No. 1 to the professional services contract with Chiang, Patel & Yerby, Inc. for the design, preparation of construction documents and construction administration for the construction of fuel and chemical containment systems at eleven stormwater outfall locations at Dallas Love Field in the amount of \$312,734; and five stormwater outfall locations at Dallas Executive Airport in the amount of \$202,623; and (2) the establishment of appropriations in the amount of \$357,251 in the Federal Aviation Administration Airport Improvement Program Fund - Total not to exceed \$515,357, from \$44,517 to \$559,874 - Financing: Aviation Capital Construction Funds (\$280,807), and Federal Aviation Administration Airport Improvement Program Funds (\$234,550)

Councilmember Rasansky requested that consent agenda item 19 be considered as an individual item. Mayor Miller stated that consent agenda item 19 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 19 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Koop.

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

Voting Yes:	[13]	Miller, Hill, Garcia, Medrano, Oakley, Thornton-Reese, Salazar, Chaney, Fantroy, Griffith, Koop, Natinsky, Hunt
Voting No:	[1]	Rasansky
Absent:	[1]	Blaydes absent when vote taken

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1702

Item 20: Authorize an increase in the contract with Atkins Brothers Equipment Co., Inc., for additional work associated with the rehabilitation of existing wastewater mains, water main appurtenance adjustments, and resurfacing pavement on Coral Cove Drive from Heatherdale Drive to Whitehurst Drive, Meadowknoll Drive from Meadowknoll Circle to Arbor Park Drive, and the easement northeast of Kingsley Road at Audelia Road at the Heights of Lake Highlands Apartments - \$207,814, from \$3,831,289 to \$4,039,103 - Financing: Water Utilities Capital Improvement Funds (\$201,832), 2003 Bond Funds (\$5,982)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1703

Item 21: Authorize Supplemental Agreement No. 3 to the professional services contract with Westin Engineering, Inc. for submittal reviews, attendance at construction progress meetings, site visits, re-designs due to changed field conditions, start-up coordination and documentation of as-built information needed during the construction of the process control system at the Southside Wastewater Treatment Plant - \$131,580, from \$3,361,319 to \$3,492,899 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1704

Item 22: Authorize Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. to change the scope of work for hydraulic modeling and design of the Alta Mesa Pump Station - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1705

Item 23: Authorize Supplemental Agreement No. 2 to the professional services contract with Turner, Collie & Braden, Inc. for hydraulic modeling of the proposed Transfer Pump Station No. 3 at the East Side Water Treatment Plant - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1706

Item 24: Authorize (1) alley paving, storm drainage and wastewater main improvements on the alley between State Street and Thomas Avenue from Fairmount Street to Routh Street; provide for partial payment of alley construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on August 9, 2006 to receive comments
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1707

Item 25: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Northwest Highway from Easton/Ferndale Road, Executive Drive/Yeager Street and at McCree Road - \$135,839 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1708

Item 26: A resolution authorizing support of the Cityville at Southwestern Medical District project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and FirstWorthing for infrastructure improvements for the Cityville project area bounded by Motor Street, Bengal Street, Macatee Drive, and the Dallas Area Rapid Transit northwest light rail transit line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1709

Item 27: A resolution authorizing support of the University of North Texas Campus Area - Southern Dallas Planning Project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements between the City of Dallas and the North Central Texas Council of Governments to conduct a planning study for the area bounded by Houston School Road, Camp Wisdom/Simpson Stuart Road, Lancaster Road, Interstate 20, and the Dallas/Lancaster city limits - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1710

Item 28: A resolution authorizing support of the Dallas Design TIF District pedestrian improvements project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and Dallas Design District TIF for infrastructure improvements in the area along Hi Line Drive bounded by Stemmons Expressway and the Trinity Meanders - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1711

Item 29: A resolution authorizing support of the Eastside Commons Pedestrian Plaza pedestrian improvements for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and Central Dallas Community Development Corporation for infrastructure improvements for the Hall Street project area bounded by North Central Expressway, Cochran Street, Hall Street, Flora Street, and Watkins Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1712

Item 30: A resolution authorizing support of the Woodall Rodgers Cross Street Sidewalk Reconstruction Project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and Woodall Rodgers Park Foundation/The Real Estate Council for infrastructure improvements for the Woodall Rodgers project area bounded by Akard Street, Pearl Street, and Woodall Rodgers access roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1713

Item 31: A resolution authorizing support of the Cityville at Carlisle Project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and FirstWorthing for infrastructure improvements for the Cityville project bounded by Carlisle Street, Carlisle Place, West Lemmon Avenue, and the Katy Trail - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1714

Item 32: Authorize an Interlocal Agreement with the City of Carrollton for the construction of two pressure reducing valve vaults, replacement of existing valves, and adjustments to the existing water and wastewater mains in Old Mill Road from Brandywyne Drive to Briargrove Lane - \$139,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1715

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 9 tracts of land containing a total of approximately 14,637 square feet located near the intersection of Samuell Boulevard and Jim Miller Road for the Samuell Boulevard Improvement Project (list attached) - \$36,279 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1716

Item 34: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Southeast Corridor Line Section (SE-2) located near the intersection of Scyene Road and Hancock Street (list attached) - Financing: No cost consideration to the City

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

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

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

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1717

Item 35: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 4 tracts of land for the construction of the Northwest Corridor Line Section (NW-1B) located near the intersection of Kimsey and Denton Drives - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1718

Item 36: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land from Willow Building 3800, Ltd. for the construction of the Southeast Corridor Line Section (SE-1) located near the intersection of Willow and Commerce Streets
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1719

Item 37: A resolution authorizing the conveyance of 5 wastewater easements containing a total of approximately 10 acres of land to the City of Rowlett located near the intersection of Interstate 30 and Dalrock Road at Lake Ray Hubbard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1720

Item 38: An ordinance abandoning easements to Eastpoint Business Center, Inc., the abutting owner, containing approximately 14,920 square feet of land located near the intersection of Eastpoint and Catron Drives, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26381.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1721

Item 39: An ordinance abandoning a portion of a water easement to Ohr HaTorah, Inc., the abutting owner, containing approximately 630 square feet of land located near the intersection of Churchill Way and Hughes Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26382.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1722

Item 40: Authorize a first amendment to the lease agreement with Cooper Commercial Properties, Inc. to extend the lease at 1019 West Sixth Street, Irving, Texas for office space to be used as a Women, Infants and Children Clinic for the period July 1, 2006 through June 30, 2009 - Not to exceed \$127,226 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1723

Item 41: Authorize the continued occupancy under the lease agreement with Maher Properties Two, Ltd. for approximately 48,564 square feet of land for parking and approximately 10,300 square feet of medical office space located near Ewing Avenue and Eighth Street for the operation of the Oak Cliff Health Clinic through January 31, 2007 - Not to exceed \$65,600 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1724

Item 42: Authorize (1) the rejection of the only bid received for fencing materials; 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

JUNE 28, 2006

06-1725

Item 43: Authorize an increase in the contract with BMC Software Distribution, Inc. for maintenance of the existing software to automate the computer operations for mainframe and open systems and a twenty-four-month extension to the contract until June 19, 2008 - Not to exceed \$350,000, from \$2,686,648 to \$3,036,648 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1726

Item 44: Ratify an emergency engineering services contract to investigate, analyze and design repairs for the retaining walls and surrounding structures at the White Rock Dam and spillway - Half Associates, Inc. - \$914,870 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1727

Item 45: Authorize a professional services contract with the law firm of Spiegel & McDiarmid for legal advice and counsel concerning aviation law matters including the Wright Amendment and related matters - Not to exceed \$150,000 - Financing: Current Funds

The city secretary requested that consent agenda item 45 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 45 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 45 was brought up for consideration.

No one appeared to address the city council on this item.

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1728

Item 46: Authorize settlement of the lawsuit styled Patricia Anaya, et al. and Theresa Marquez, et al. v. City of Dallas, et al., Cause No. CC-03-08886-E - Not to exceed \$20,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1729

Item 47: Authorize settlement of the lawsuit styled Marilyn McRae v. City of Dallas, Cause No. CC-05-07477-A - Not to exceed \$13,959 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1730

Item 48: Authorize settlement of the lawsuit styled Ofelia Rodriguez v. City of Dallas, Cause No. CC-05-06585-A - Not to exceed \$15,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1731

Item 49: Authorize settlement of the lawsuit styled L. Dwaine Lord v. City of Dallas, David Larsen, and Mary Deal, Civil Action No. 3:02-CV-1636-P - Not to exceed \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1732

Item 50: Authorize settlement of the lawsuit styled Michael W. Brock v. City of Dallas, Cause No. CC-05-04159-C - Not to exceed \$7,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1733

Item 51: Authorize settlement of the lawsuit styled Maria D. Martinez, et al. v. City of Dallas, Cause No. 03-01054-L - Not to exceed \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1734

Item 52: Authorize settlement of the lawsuit styled Agron Staraveci v. City of Dallas,
Cause No. 04-04015-H - Not to exceed \$63,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1735

Item 53: Authorize moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Robert Simms and Lela Simms in the Cadillac Heights Neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$34,150 - Financing: 2003 Bond Funds (\$19,150) and Multi-Family Housing Funds (\$15,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1736

Item 54: Authorize (1) a public hearing to be held on August 9, 2006, to receive comments concerning the renewal of the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by an assessment for each property owner of record on real property and real property improvements in the District, and at the close of the hearing, (2) consideration of a resolution renewing the Deep Ellum Public Improvement District for the purpose of providing supplemental public services, to be funded by an assessment for each property owner of record on real property and real property improvements in the District; and providing an effective date; and (3) approval of the Deep Ellum Public Improvement District Service Plan for 2007-13 - 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 item 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 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 item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1737

Item 55: 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

Mayor Miller requested that consent agenda item 55 be considered as an individual item. Mayor Miller stated that consent agenda item 55 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Miller's request.

Later in the meeting agenda item 55 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1738

Item 56: 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

Mayor Miller requested that consent agenda item 56 be considered as an individual item. Mayor Miller stated that consent agenda item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Miller's request.

Later in the meeting agenda item 56 was brought up for consideration.

Councilmember Hunt moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1739

Item 57: Authorize (1) adoption of the final 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; and (2) adoption of the final FY 2005-06 Reprogramming Budget in the amount of \$2,128,501 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1740

Item 58: Authorize the first twelve-month renewal option to the contract with Dallas Jewish Coalition, Inc. dba Vogel Alcove Childcare Center for the Homeless for the provision of child care for homeless families for the period October 1, 2006 through September 30, 2007 - Not to exceed \$74,985 - Financing: 2006-07 Community Development Grant Funds (\$43,985) and Current Funds (\$31,000) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1741

Item 59: Authorize the second twelve-month renewal option to the contract with Welcome House, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2006 through September 30, 2007 - Not to exceed \$429,815 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds (\$420,913) and 2005-06 Housing Opportunities for Persons with AIDS Grant Funds(\$8,902)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1742

Item 60: Authorize the second twelve-month renewal option to the contract with AIDS Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2006 through September 30, 2007 - Not to exceed \$368,615 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1743

Item 61: Authorize the second twelve-month renewal option to the contract with Legacy Counseling Center, Inc. to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2006 through September 30, 2007 - Not to exceed \$173,895 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1744

Item 62: Authorize the second twelve-month renewal option to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to provide facility based housing assistance for persons with HIV/AIDS for the period October 1, 2006 through September 30, 2007 - Not to exceed \$967,675 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds (\$524,593), 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$427,621) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$15,461)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1745

Item 63: Authorize the second twelve-month renewal option to the contract with AIDS Interfaith Network, Inc., to provide a citywide HIV/AIDS education, outreach, and prevention program targeting primarily high-risk African American and Hispanic populations for the period October 1, 2006 through September 30, 2007 - Not to exceed \$90,000 - Financing: 2006-07 Community Development Grant Funds (\$75,000) and Current Funds (\$15,000) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1746

Item 64: Authorize (1) the acceptance of a grant from the Texas Commission on Environmental Quality to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas for the period September 1, 2006 through August 31, 2007; and (2) execution of the grant agreement - Not to exceed \$64,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1747

Item 65: Authorize (1) the acceptance of a grant from the Texas Commission on Environmental Quality to operate and maintain an ambient air monitoring station in Rockwall County for the period September 1, 2006 through August 31, 2007; and (2) execution of the grant agreement - Not to exceed \$50,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1748

Item 66: Authorize (1) the acceptance of a grant from the Texas Commission on Environmental Quality to operate and maintain whole air samplers and conduct air monitoring activities in Dallas for the period September 1, 2006 through August 31, 2007; and (2) execution of the grant agreement - Not to exceed \$622,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1749

Item 67: Authorize a contract with Community Dental Care for the continuation of dental health services to low-income residents of Dallas for the period October 1, 2006 through September 30, 2007 - Not to exceed \$200,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1750

Item 68: Authorize a contract with Housing Crisis Center, Inc. to provide emergency shelter services to homeless families with or without children for the period October 1, 2006 through September 30, 2007 - Not to exceed \$60,889 - Financing: 2006-07 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1751

Item 69: Authorize a contract with Legal Aid of North West Texas, Inc. to provide free legal aid to low-income citizens for emergency shelter services for the period October 1, 2006 through September 30, 2007 - Not to exceed \$98,938 - Financing: 2006-07 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1752

Item 70: Authorize a contract with First United Methodist Church to provide emergency assistance to the homeless and near homeless of the City of Dallas for the period October 1, 2006 through September 30, 2007 - Not to exceed \$50,400 - Financing: 2006-07 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1753

Item 71: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide a tenant-based rental assistance program for the homeless for the period October 1, 2006 through September 30, 2007 - Not to exceed \$300,000 - Financing: 2006-07 HOME Investment Partnerships Program Grant Funds

Councilmember Rasansky requested that consent agenda item 71 be considered as an individual item. Mayor Miller stated that consent agenda item 71 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 71 was brought up for consideration.

Councilmember Rasansky moved to increase the funding by \$225,000 coming from the general fund and approve the item.

Motion seconded by Councilmember Chaney.

After discussion, Councilmember Thornton-Reese moved to substitute for Councilmember Rasansky's motion to approve the item as presented.

Motion seconded by Deputy Mayor Pro Tem Garcia.

After further discussion, Mayor Miller called for a vote on Councilmember Thornton-Reese's substitute motion to approve the item as presented.

Prior to the announcement of the vote on Councilmember Thornton-Reese's substitute motion, Councilmember Rasansky requested that his original motion be withdrawn and to show his vote in favor of the substitute motion to approve the item as presented.

Councilmember Chaney, who seconded the original motion, also withdrew his second.

The Mayor announced that Mayor Pro Tem Hill was out of the room prior to the announcement of the vote on Councilmember Thornton-Reese's substitute motion and requested the record to reflect that he voted in favor of the substitute motion to approve the item as presented.

Mayor Miller declared the substitute motion adopted unanimously.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1754

Item 72: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2006 through September 30, 2007 - Not to exceed \$1,624,260 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds (\$675,535), 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$710,452) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$238,273)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1755

Item 73: Authorize (1) the proposed private resale and conveyance by deed of 9 unimproved properties from Operation Relief Center to Dallas Neighborhood Alliance for Habitat, (2) the acceptance of Land Transfer Proposals from Dallas Neighborhood Alliance for Habitat for the properties, (3) an amendment to the deed restrictions for the properties extending the development timeline to December 31, 2008, and (4) assignment of the Operation Relief Center's Community Housing Development Organization development loan agreement with the City in the amount of \$75,000 to Dallas Neighborhood Alliance for Habitat and release Operation Relief Center from liability on the note for the development of a minimum of fourteen new affordable houses within the Rochester Park area (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1756

Item 74: Authorize the reconstruction on-site of a home in accordance with the Replacement Housing Program Statement requirements for the property located at 2403 Lowery Street - \$70,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1757

Item 75: Authorize a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period of August 1, 2006 through July 31, 2007 - Not to exceed \$140,990 - Financing: Current Funds (\$99,894) (subject to appropriations); 2006-07 Community Development Grant Funds (\$41,096)

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1758

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 76-94 and addendum addition agenda item 49 were presented for consideration.

Agenda items 77, 78, 80, 81, 82, 83, 84, 87, 88, 90, 91, 92 and addendum addition agenda item 49 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 76:	Zoning Case Z034-166 (RB)	
Agenda item 77:	Zoning Case Z045-120 (MM)	[Considered individually]
Agenda item 78:	Zoning Case Z045-132 (DW)	[Considered individually]
Agenda item 79:	Zoning Case Z045-283 (JH)	
Agenda item 80:	Zoning Case Z045-289 (NB)	[Considered individually]
Agenda item 81:	Zoning Case Z056-154 (WE)	[Considered individually]
Agenda item 82:	Zoning Case Z056-157 (RB)	[Considered individually]
Agenda item 83:	Zoning Case Z056-171 (RB)	[Considered individually]
Agenda item 84:	Zoning Case Z056-177 (DW)	[Considered individually]
Agenda item 85:	Zoning Case Z056-191 (WE)	
Agenda item 86:	Zoning Case Z056-192 (RB)	
Agenda item 87:	Zoning Case Z056-194 (RB)	[Considered individually]
Agenda item 88:	Zoning Case Z056-201 (WE)	[Considered individually]
Agenda item 89:	Zoning Case Z056-209 (RB)	
Agenda item 90:	Zoning Case Z056-215 (DW)	[Considered individually]
Agenda item 91:	Zoning Case Z056-218 (JH)	[Considered individually]
Agenda item 92:	Zoning Case Z056-223 (WE)	[Considered individually]
Agenda item 93:	Zoning Case Z056-225 (FD)	
Agenda item 94:	Zoning Case Z056-230 (JH)	
Addendum addition		
agenda item 49:	Zoning Case Z056-232 (JH)	[Considered individually]

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

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

Councilmember Oakley moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning case and pass the ordinance, subject to a site plan and conditions submitted by the applicant as presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1759

Item 76: Zoning Case Z034-166 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z034-166 (RB), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District Uses on property zoned an MU-3 Mixed Use District on both sides of Motor Street southwest of Harry Hines Boulevard

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26383.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1760

Item 77: Zoning Case Z045-120 (MM)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmembers Medrano, Rasansky, and Hunt requested that consent agenda item 77 be considered as an individual item. Mayor Miller stated that consent agenda item 77 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmembers Medrano, Rasansky, and Hunt's request.

Later in the meeting, zoning docket item 77 was brought up for consideration

A public hearing was called on zoning case Z045-120 (MM), an application for and an ordinance granting (1) a Planned Development District for mixed uses; (2) the termination of Specific Use Permits Nos. 853, 673, and 1110; (3) the termination of Planned Development District No. 613 and portions of Planned Development District No. 298 and Planned Development District No. 298-D, the Bryan Area Special Purpose District; and (4) the termination of deed restrictions on property zoned Planned Development District No. 298, Planned Development District 298-D, an MU-3 Mixed Use District, an MU-3-D Mixed Use District with a Dry Liquor Control Overlay, an MU-2 Mixed Use District, an MU-2-D Mixed Use District with a Dry Liquor Control Overlay, a P(A) Parking District, a CS Commercial Service District, an MF-2(A) Multifamily District, an LO-3 Limited Office District, an LO-3-D Limited Office District with a Dry Liquor Control Overlay, an IM Industrial Manufacturing District and a GO(A) General Office District, located within an area generally bounded by Live Oak Street, Haskell Street, Main Street and Malcolm X Boulevard with consideration being given to creating three subareas in Planned Development District No. 298 and 298-D to allow additional uses and development standards, in lieu of including this area of PD no. 298 in the proposed Planned Development District for mixed uses

(The city plan commission recommended approval subject to conditions, a conceptual plan, a parking plan and a bus shuttle system circulation plan with retention of the Dry Liquor Control Overlay; and approval of the creation of the new subareas in Planned Development District No. 298 with retention of the Dry Liquor Control Overlay; and approval of the termination of Specific Use Permits Nos. 853, 673, and 1110; and approval of the termination of deed restrictions)

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

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

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

JoAnna Hampton, 4924 Tremont St. representing Munger Place Historic District
Virginia McAlester, 5703 Swiss Ave. representing Swiss Avenue Historic District
Rene Schmidt, 715 Parkmont St. representing Junius Heights
Christi Sherrell, 3600 Gaston, representing Baylor University Medical Center
J. W. Braizer, 4811 Swiss Ave., President Peaks Addition Homeowner Association
Michael Jung, 4400 Bank of America Plaza, representing Meadows Foundation
Liz Wally, 5528 Victor St. representing Junius Heights
Lori Palmer, 10255 County Rd., **Terrell, TX.**

Councilmember Hunt move to close the public hearing and approve the zoning with a revised ordinance for the planned development district:

- “1. the three ordinances terminating of Specific Use Permits Nos. 853, 673, and 1110;
2. the two resolutions terminating deed restrictions;
3. the ordinance amending Planned Development District No. 298, the Bryan Area Special Purpose District; and
4. the revised ordinance creating Planned Development District No. 749, the Baylor University Medical Center Special Purpose District, a copy of which is attached to this motion and has been distributed to the city council.”

and pass the ordinance.

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

Assigned ORDINANCE NOS. 26384, 26385, 26386, 26387 and 26388.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1761

Item 78: Zoning Case Z045-132 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 78 was brought up for consideration.

A public hearing was called on zoning case Z045-132 (RB), an application for an MU-3 Mixed Use District with removal of the D Dry Liquor Control Overlay on property zoned an LO-3-D Limited Office District with the D Liquor Control Overlay and an ordinance granting an MU-3 Mixed Use District with retention of the D Dry Liquor Control Overlay on the northeast corner of Washington Avenue and Worth Street, and a resolution accepting deed restrictions volunteered by the applicant

(The city plan commission recommended approval of a MU-3 Mixed Use District with retention of the D Dry Liquor Control Overlay, subject to deed restrictions volunteered by the applicant)

No one appear in opposition of the city plan commission's recommendation.

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

JoAnna Hampton, 4924 Tremont St. representing Munger Place Historic District
Rene Schmidt, 715 Parkmont St. representing Junius Heights
Julian Peterson, 4203 Junius St. representing Peaks Addition Homeowners Association
Liz Wally, 5528 Victor St. representing Junius Heights Historic District

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Councilmember Medrano moved to close the public hearing and approve the change of zoning with the revised deed restriction, volunteered by the applicant, that added prohibited uses, altered the front yard setback, added design standards, and added requirements for landscaping and streetscaping, a copy of which is attached to the motion and has been distributed to the city council and pass the ordinance and the resolution.

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

Assigned ORDINANCE NO. 26389.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1762

Item 79: Zoning Case Z045-283 (JH)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z045-283 (JH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1265 for a Tower/antenna for cellular communication on property zoned an A(A) Agricultural District on the northeast corner of Illinois Avenue and Walton Walker Boulevard/ Loop 12

(The city plan commission recommended approval subject to a site plan and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26390.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1763

Item 80: Zoning Case Z045-289 (NB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 80 was brought up for consideration.

A public hearing was called on zoning case Z045-289 (NB), a City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District generally bound by both sides of Goodwin Avenue to the north, Greenville Avenue to the east, both sides of Richard Avenue to the south, and Laneri Street to the west, with consideration given to a conservation district and an ordinance granting the conservation district

(The city plan commission recommended approval subject to the conceptual plan and the Conservation District)

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

Jason Dennis, 5429 Richard Ave.
Jason Dennis, 5429 Richard Ave. representing Sarah Toraason
Tom Kendall, 5331 Goodwin

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

Larry Praeger, 5252 Vanderbilt
Sheila Huffman, 5548 Richard Ave., representing Vickery Place
Beth Bentley, 5551 Vickery Blvd.
Katherine Seale, 2922 Swiss Ave., representing Preservation Dallas
Linda Mitchell, 5451 Vickery
Rick Bentley, 5551 Victory Blvd.
Mark Rieves, 5530 Goodwin
Tracy Keimer, 5306 Goodwin
Monica Hutton, 5343 Goodwin

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The following individual addressed the city council regarding the item

Pam Frazee, 600 S. Denton Tap Rd. **Coppell, TX.**

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

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

Assigned ORDINANCE NO. 26391.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1764

Item 81: Zoning Case Z056-154 (WE)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Natinsky requested that consent agenda item 81 be considered as an individual item. Mayor Miller stated that consent agenda item 81 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Natinsky's request.

Later in the meeting, zoning docket item 81 was brought up for consideration

A public hearing was called on zoning case Z056-154 (WE), an application for and an ordinance granting a TH-3(A) Townhouse District on property zoned an R-10(A) Single Family District on the west line of Davenport Road, south of Stedman Drive

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

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

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

Bart Reeder, 6310 Windmill Circle, representing the applicant

Councilmember Natinsky moved to close the public hearing and follow the city plan commission recommendation for approval of this request with the revised deed restrictions offered by the applicant and distributed to the city council at this hearing:

"The revised deed restrictions add additional conditions to what the applicant had offered at the time this case was considered by the city plan commission.

To clarify the façade restriction, each group of attached single-family dwelling units will be considered to be one building, and of the total façade area of that building no more than 15 percent shall consist of wood or products that appear to be wood (e.g., Hardi-plank™), with the remainder of the façade to be constructed of glass or masonry (brick, stone and/or cast stone. Doors, windows, soffets, trim, and shutters (if any), are not counted as part of the façade area."

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06-1764

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and pass the ordinance.

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

Assigned ORDINANCE NO. 26392.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1765

Item 82: Zoning Case Z056-157 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Hunt requested that consent agenda item 82 be considered as an individual item. Mayor Miller stated that consent agenda item 82 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Hunt's request.

Later in the meeting, zoning docket item 82 was brought up for consideration

A public hearing was called on zoning case Z056-157 (RB), an application for and a resolution terminating the existing deed restrictions and a resolution accepting new deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the southeast corner of Mockingbird Lane and Skillman Street

(The city plan commission recommended approval of the termination of existing deed restrictions on the property, and approval of deed restrictions volunteered by the applicant on a portion of the property)

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

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

Barry Knight, 5400 Renaissance Tower, representing the applicant

Councilmember Hunt move to hold under advisement until the August 23, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1766

Item 83: Zoning Case Z056-171 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Rasansky requested that consent agenda item 83 be considered as an individual item. Mayor Miller stated that consent agenda item 83 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Rasansky's request.

Later in the meeting, zoning docket item 83 was brought up for consideration

A public hearing was called on zoning case Z056-171 (RB), an application for and an ordinance granting a Specific Use Permit for a Transit passenger station or transfer center on property zoned an MU-3 Mixed Use District, and an ordinance granting a Planned Development Subdistrict for a Railroad passenger station and TH-3 Subdistrict Uses on property zoned a TH-3 Townhouse Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west line and east line of Harry Hines Boulevard between Wycliff Avenue and Douglas Avenue

(The city plan commission recommended approval of a Specific Use Permit for a Transit passenger station or transfer center for a permanent time period, subject to a site plan, landscape plan, and conditions, and approval of a Planned Development Subdistrict for a Railroad passenger station and TH-3 Subdistrict Uses, subject to a development plan, landscape plan, and conditions)

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

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

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

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

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After discussion, Mayor Miller announced that Councilmember Medrano had a conflict of interest on the item.

Councilmember Griffith moved to reconsider the previous vote on Councilmember Medrano's motion to close the public hearing and accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Councilmember Chaney.

After further discussion, Mayor Miller called the vote on Councilmember Griffith's motion to reconsider Councilmember Medrano motion due to a conflict of interest on the item.

Mayor Miller declared the motion to reconsider was adopted, and that agenda item 83 was before the council for reconsideration (Hill absent when vote taken)

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

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

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

Assigned ORDINANCE NO. 26393 AND 26394.

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06-1767

Item 84: Zoning Case Z056-177 (DW)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Fantroy requested that consent agenda item 84 be considered as an individual item. Mayor Miller stated that consent agenda item 84 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Fantroy's request.

Later in the meeting, zoning docket item 84 was brought up for consideration

A public hearing was called on zoning case Z056-177 (DW), an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school and an ordinance granting the termination of Specific Use Permit No. 487 for a YMCA on property zoned an R-5(A) Single Family District on the east corner of Highland Hills Drive and Bonnie View Road

(The city plan commission recommended approval for a ten-year period with eligibility for an additional ten-year period, subject to a site plan and conditions and approval of the termination of Specific Use Permit No. 487 for a YMCA)

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

Verbie Watson, 6212 Highland Hill Dr.
Theresa Washington, 3433 Silverhill Dr. representing Highland Hill Community
E. Ruth Steward, 7022 Balalaika

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

Peter Kavanagh, 1620 Handley, representing the Children First Elementary
Academy

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

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

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06-1768

Item 85: Zoning Case Z056-191 (WE)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z056-191 (WE), an application for and an ordinance granting an amendment to the Tract III conditions and conceptual plan of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the east quadrant of Colorado Boulevard and Zang Boulevard and the north quadrant of Zang Boulevard and Plowman Avenue 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, on the east corner of Zang Boulevard and Colorado Boulevard

(The city plan commission recommended approval of an amendment to the Tract III portion of Subdistrict D-1 within PD No. 468, subject to a conceptual plan and conditions and approval of an ordinance granting a Specific Use Permit for a financial institution with a drive-through window for a ten-year period with eligibility for automatic renewals for additional 15-year periods, subject to a site plan and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26395 AND 26396.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1769

Item 86: Zoning Case Z056-192 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z056-192 (RB), an application for and an ordinance granting an amendment to the conditions for Planned Development District No. 603 for IR Industrial Research District Uses on the north alignment of Pinnacle Park Boulevard, east of Cockrell Hill Road

(The city plan commission recommended approval)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26397.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1770

Item 87: Zoning Case Z056-194 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Fantroy requested that consent agenda item 87 be considered as an individual item. Mayor Miller stated that consent agenda item 87 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Fantroy's request.

Later in the meeting, zoning docket item 87 was brought up for consideration

A public hearing was called on zoning case Z056-194 (RB), an application for and an ordinance granting an RR Regional Retail District on property designated as Tracts 2A, 2B, and 2C within Planned Development District No. 240 on the south line of IH 20, east of Hampton Road

(The city plan commission recommended approval)

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

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

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

Assigned ORDINANCE NO. 26398.

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06-1771

Item 88: Zoning Case Z056-201 (WE)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Hunt requested that consent agenda item 88 be considered as an individual item. Mayor Miller stated that consent agenda item 88 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Hunt's request.

Later in the meeting, zoning docket item 88 was brought up for consideration

A public hearing was called on zoning case Z056-201 (WE), an application for and an ordinance granting a Planned Development Subdistrict for mixed residential, retail and office uses within Planned Development No. 193, the Oak Lawn Special Purpose District, on property zoned an LC Light Commercial Subdistrict and an O-1 Office Subdistrict, and a resolution accepting deed restrictions volunteered by the applicant on a portion of Planned Development District No. 225, the State Thomas Special Purpose District, in an area bounded by McKinney Avenue, Routh Street, State Street, and Fairmount Street

(The city plan commission recommended approval subject to conditions, conceptual plan, landscape plan, and deed restrictions volunteered by the applicant)

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

Virginia McAlester, 5703 Swiss Ave.
Larry Praeger, 5252 Vanderbilt
Patricia Meadows, 2707 State St. representing Friends of State Thomas
Ricardo Medrano, 2335 Knight St.
Judy Smith Hearst, 2512 Thomas Ave., representing Friends of State Thomas
Jack Irwin, 2708 Fairmont St., representing Friends of State Thomas
Nancy Starr, 2512 Thomas Ave., representing Friends of State Thomas
Paula Nemece, 2504 State St., representing Friends of State Thomas

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

Jonathan Vinson, 901 Main St., representing the applicant
Frank Stich, 4224 N. Hall St., representing Oak Lawn Committee
Christina Biggs, 2300 Leonard, representing 2300 Leonard Homeowners
Association and Hotel Zaza

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Kort Peters, 2305 Worthington, representing 2305 Worthington Homeowners Association

Vicki Garza, 2601 Hibernia, representing Garza Properties

Robert Long, 2512 State, representing Pelletier Properties

Diane Dunaway, 2600 Hibernia, representing Eye Catcher Art Gallery

Bill Weinberg, 2349 Allen, President of Worthington Corners Homeowners Association

Brenda Marks, 2225 Hood St., Oak Lawn Committee

Ken Rothman, 2808 McKinney

Councilmember Hunt moved to close the public hearing, accept the revised deed restrictions and the ordinance creating the Planned Development Subdistrict 73 with the following changes:

- “1. The tower may only be used for residential uses, except that the first two floors of the tower may be used for any permitted use.
2. The yard, lot, and space regulations of the LC Light Commercial Subdistrict will apply unless adjoining property in Planned Development 225 is restricted to and used as open space pursuant to deed restrictions:
3. The following amendments are made to the yard, lot, and space regulations that apply when the adjoining property in Planned development is restricted to and used as open space pursuant to deed restrictions:
 - a. The minimum front yard on McKinney Avenue and Fairmount Street will be 23.5 [eight] feet for the first 36 feet in height, measured from a vertical plan extending upward from the back of the curb, and 25.5 [20] feet for all portions of a building above 36 feet in height, measured from a vertical plan extending upward from the back of the curb.
 - b. The minimum front yard on Routh Street will be 20 [ten] feet for the first 36 feet in height, measured from a vertical plane extending upward from the back of the curb, and 35 [25] feet for all portions of a building above 36 feet in height, measured from a vertical plane extending upward from the back of the curb. For the tower, the minimum front yard on Routh Street must be provided as shown on the development plan.
 - c. The maximum floor area, if that portion of the development project within Planned Development No. 225 is restricted to open space , will be 7.8:1[~~6.847:1~~]
 - d. The maximum floor area will be 476,089 [429,000] square feet.
 - e. Maximum structure height will be 39 feet, and structures on top of a building may not exceed the 39 foot limitation, except that maximum structure height of the tower will be 285 [240] feet.
 - f. Maximum number of stories will be two, except that there will be no maximum number of stories for the tower.
 - g. The minimum sidewalk on McKinney Avenue will be 18.5 [12.5] feet.

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- h. Outdoor seating will not be allowed on the minimum required sidewalks.
 - i. Sidewalks must be unobstructed.
 - j. Parkways on McKinney Avenue must have a minimum width of five feet.
 - k. Parkways on Fairmount Street must have a minimum width of five feet.
 - l. Parkways on Routh Street must have minimum width of 10 feet.
4. Primary vehicular access for residential uses must be from Fairmount Street.
 5. Delete the LEED (green building) certifications requirements.

and pass the ordinance and approve the resolution.

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

Assigned ORDINANCE NO. 26399.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1772

Item 89: Zoning Case Z056-209 (RB)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z056-209 (RB), an application for and an ordinance granting a Specific Use Permit for a Utility or government installation other than listed for the Dallas County Institute of Forensic Sciences on property zoned an MU-3 Mixed Use District on the southwest line of IH 35, between Motor Street and Wycliff Avenue

(The city plan commission recommended approval for a permanent time period, subject to a site plan and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26400.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1773

Item 90: Zoning Case Z056-215 (DW)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 90 was brought up for consideration.

A public hearing was called on zoning case Z056-215 (DW), an application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment for a bar, lounge or tavern on property zoned an IR Industrial Research District on the north corner of Inwood Road and Maple Avenue and a resolution accepting deed restrictions volunteered by the applicant.

Corrected on the addendum to the agenda.

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

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

Nancy Feaster, 10157 Casa View

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

Ryan Bibb, 918 Dragon St., representing the applicant

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Councilmember Medrano moved to close the public hearing, accept the deed restriction volunteered by the applicant and accept the recommendation of the city plan commission with the following changes:

- “1). No patio or outside service area is permitted.
- 2). All activities associated with the bar, lounge, or tavern except for parking must be located with the 3500 square foot building”

and pass the ordinance and approve the resolution.

Motion seconded by Councilmember Oakley.

After discussion, Deputy Mayor Pro Tem Garcia called for a vote on the motion.

Deputy Mayor Pro Tem Garcia declared the motion adopted on a divided vote, with Councilmember Rasansky voting “No”. (Miller, Hill absent when vote taken)

Assigned ORDINANCE NO. 26401.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1774

Item 91: Zoning Case Z056-218 (JH)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on zoning case Z056-218 (JH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1485 for a community service center on property zoned an R-10(A) Single Family District on the northwest corner of Camp Wisdom Road and Hampton Road

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

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

Victoria Welcome, 2319 Elder Oaks Ln., representing Homeowners

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

Bill Betzen, 6717 Cliffwood

Clarence Muse, 2617 Blackstone Dr.

Tony Evans, 1940 Elderleaf Dr., representing Oak Cliff Bible Fellowship

Councilmember Fantroy moved to hold under advisement until the August 9, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1775

Item 92: Zoning Case Z056-223 (WE)

The consent zoning docket, consisting of agenda items 76-94, was presented.

Councilmember Oakley requested that consent agenda item 92 be considered as an individual item. Mayor Miller stated that consent agenda item 92 would be considered as an individual item later in the meeting, there being no objection voiced to the Councilmember Oakley's request.

Later in the meeting, zoning docket item 92 was brought up for consideration

A public hearing was called on zoning case Z056-223 (WE), an application for and an ordinance granting a Specific Use Permit for multifamily and single family uses within Tract 12 of Planned Development District No. 508 for mixed uses on the north line of Singleton Boulevard, east of Pointer Street

(The city plan commission recommended approval for a permanent time period subject to site plan and conditions)

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

Councilmember Oakley moved to closed the public hearing and accept the recommendation of the city plan commission with the following clarifications:

- "1) the only use authorized by this Special Use Permit is multifamily use; and
- 2) the maximum number of dwelling units is 233"

and pass the ordinance.

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

Assigned ORDINANCE NO. 26402.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1776

Item 93: Zoning Case Z056-225 (FD)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z056-225 (FD), an application for and an ordinance granting the renewal of Specific Use Permit No. 1447 for a private school on property zoned an R-7.5(A) Single Family District, at the northeast corner of Park Lane and Boedeker Street

(The city plan commission recommended approval of the renewal of Specific Use Permit No. 1447 for a private school for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26403.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1777

Item 94: Zoning Case Z056-230 (JH)

The consent zoning docket, consisting of agenda items 76-94, was presented.

A public hearing was called on zoning case Z056-230 (JH), an application for and an ordinance granting a Specific Use Permit for Private School on property zoned an R-16(A) Single Family District on the north side of Churchill Way, west of Whitley Lane

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26404.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1778

Item 95: Zoning Case Z056-221 (JH) - INDIVIDUAL

A public hearing was called on zoning case Z056-221 (JH), an application for and an ordinance granting a Specific Use Permit for a Bank or Savings and Loan Office with drive-through lanes on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Fitzhugh Avenue and McKinney Avenue

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

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

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

Barry Knight, 5400 Renaissance Tower, representing the applicant

Councilmember Hunt moved to close the public hearing and approve a two-year Specific Use Permit without automatic renewal and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia.

Councilmember Natinsky asked Councilmember Hunt if she would accept a friendly amendment to her motion to approve a two-year Specific Use Permit and the applicant come back to request a renewal at a later time.

Councilmember Hunt accepted Councilmember Natinsky's friendly amendment as a part of her motion.

Deputy Mayor Pro Tem Garcia, who seconded the original motion, also accepted Councilmember Natinsky's friendly amendment.

After discussion, Mayor Miller asked Councilmembers Hunt and Natinsky if they would both agree to substitute Councilmember Natinsky's friendly amendment for her friendly amendment to approve a two-year Special Use Permit with a revision to allow one two year automatic renewal.

Councilmembers Hunt and Natinsky agreed to substitute Councilmember Natinsky's friendly amendment for Mayor Miller's friendly amendment as a part of her motion.

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Deputy Mayor Pro Tem Garcia, who seconded the original motion, also agreed to substitute Councilmember Natinsky's friendly amendment for Mayor Miller's friendly amendment.

After further discussion, Mayor Miller called the vote on Councilmember Hunt's motion as modified by Mayor Miller's substitute friendly amendment to approve a two-year Special Use Permit with a revision to allow one two year automatic renewal.

Mayor Miller declared the motion as modified by her substitute friendly amendment, unanimously adopted. (Hill absent when vote taken)

Assigned ORDINANCE NO. 26405.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1779

Item 96: Zoning Case Z056-222 (WE) - INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

Later in the meeting, zoning docket item 96 was brought up for consideration.

A public hearing was called on zoning case Z056-222 (WE), an application for a CS Commercial Service District on property zoned a CR Community Retail District on the north line of Lyndon B. Johnson Freeway (I-20), east of Lancaster Road

(The city plan commission recommended denial)

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

Kim Hunter, 2758 Mojave Dr.
Diane Hammond, 2707 Mojave Dr.
Ghevonne Anderson, 2759 Mojave Dr.

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

Michael Coker, 2700 Swiss Ave., representing the applicant

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1780

Item 97: Zoning Case Z056-159 (JH) - UNDER ADVISEMENT – INDIVIDUAL

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

A public hearing was called on 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

(The city plan commission recommended approval for a three-year period with eligibility for automatic renewal for additional five-year period, subject to a site plan and conditions. Note: This item was considered by the City Council at a public hearing on May 24, 2006, and was taken under advisement until June 28, 2006, with the public hearing open.)

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

Rick Gonzales, 4283 S. Cresthaven
Phillip White, 4503 W. University Blvd., representing the Gauze Family

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

Daniel Prescott, 6710 Webster Dr. , representing the applicant
Thabiti Olatunji, 4634 Newmore Ave., co-chair, North Park Community Crime
Watch
Joyce Lockley, 4718 Wateka Dr.
Deborah Moore, 7415 Caillet St.

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

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

Assigned ORDINANCE NO. 26406.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1781

Item 98: Public Hearing – FLOOD PLAIN APPLICATION

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 0.3314 acres of land, zoned PD-228, currently in the floodplain of White Rock Creek, and located in Harbord Oak Estates at 17604 Cedar Creek Canyon, Fill Permit 05-13 - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Natinsky moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1782

Item 99: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no appointments to boards and commissions to consider.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1783

Item 100: A resolution authorizing support of a pre-application waiver for Dallas Housing Finance Corporation's tax-exempt bonds and Texas Department of Housing and Community Affairs's 4% low income housing tax credit financing for the acquisition and rehabilitation of the Goodhaven Apartments located at 1810 High Hill Boulevard - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1784

Item 101: Authorize a forty-eight-month service contract to provide armed and unarmed security guards to patrol and protect City properties, with the best value bidder of thirteen - Initial Security - Not to exceed \$17,281,243 - Financing: Current Funds (\$14,727,523), Aviation Current Funds (\$2,337,720), and Texas Department of State Health Services Grant Funds (\$216,000)

The following individuals addressed the city council regarding the item:

Hector Ruiz, 10939 Shady Trail
Mike Cashimere, 225 Glenwood

Councilmember Rasansky moved to defer until the August 23, 2006 voting agenda meeting of the city council and refer this item to the Finance and Audit Committee for briefing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1785

Item 102: Authorize Supplemental Agreement No. 1 to the agreement between SBC DataComm, Inc., Ameritech Credit Corporation d/b/a SBC Capital Services, and the City to reallocate funds from the installation of Voice Over IP (VOIP) at small previously identified, City facilities to the installation of VOIP at the Municipal Courts Complexes located at 2014 Main and 106 S. Harwood and add new equipment, hardware, software and services that may be purchased pursuant to the terms of the original agreement - Financing: No additional cost consideration to the City

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1786

Item 103: Authorize Supplemental Agreement No. 1 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (the DDDA), and FC Merc Complex, L.P., FC Continental Complex, L.P., FC Atmos, Inc., and FC Merc Lessee Complex, LLC (collectively Forest City) to revise the provisions of Section 1.02 thereby consenting to Forest City's acquisition of the fee interest in the ground lease parcel in lieu of condemnation and directing the DDDA to reprogram the \$2,500,000 in bond proceeds that have been earmarked for condemnation to other programs in furtherance of the implementation of the Downtown Connection TIF District project and financing plan - Financing: No cost consideration to the City

Councilmember Natinsky moved to defer until the August 9, 2006 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1787

Item 104: An ordinance removing Associate Municipal Judge Elizabeth Davis-Frizell from office, under Chapter VIII, Section 4A of the Dallas City Charter, for violation of Chapter III, Section 17 of the Dallas City Charter which prohibits an appointive officer of the City from becoming a candidate for nomination or election to any public office - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Elizabeth Davis-Frizell, 6332 Lake Bluff Dr.

Councilmember Natinsky moved to approve the ordinance.

Motion seconded by Councilmember Hunt.

After discussion, Mayor Miller called the vote on Councilmember Natinsky's motion to approve the ordinance:

Voting Yes:	[9]	Miller, Garcia, Medrano, Oakley, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No:	[2]	Thornton-Reese, Chaney
Absent:	[4]	Hill, Salazar, Fantroy, Blaydes, absent when vote taken

Mayor Miller declared the motion adopted.

ASSIGNED ORDINANCE NO. 26407

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1788

Addendum addition 1: Authorize a professional services contract with PSA Dewberry Inc. to provide design services and preparation of construction documents for a replacement facility for Fire Station No. 42 located at 3333 West Mockingbird Lane - \$329,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1789

Addendum addition 2: Authorize (1) the acceptance of a \$1,000,000 donation from the Friends of the Dallas Public Library, Inc., representing 50% of the total cost to renovate the third floor of the J. Erik Jonsson Central Library, (2) the establishment of appropriations in the Library Gifts and Donations Funds, and, (3) a contract for the relocation of existing shelving and the installation of new shelving on the third floor of the J. Erik Jonsson Central Library located at 1515 Young Street with Libra Tech Corporation, lowest responsible bidder of four in the amount of \$333,320 - Total not to exceed \$333,320 - Financing: Library Gifts and Donations Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1790

Addendum addition 3: Authorize a contract for the installation of specialized high density shelving on the third floor of the J. Erik Jonsson Central Library located at 1515 Young Street - Southwest Solutions Group, Inc., lowest responsible bidder of three - \$102,681 - Financing: Library Gifts and Donations Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1791

Addendum addition 4: Authorize a contract for the construction phase of the renovation of the Humanities Department on the third floor of the J. Erik Jonsson Central Library located at 1515 Young Street - TurJac Construction Ltd., lowest responsible bidder of six - \$807,705 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1792

Addendum addition 5: Authorize a contract for the construction of the new South Central Police Station to be located at 1999 East Camp Wisdom Road - CORE Construction, Inc., best value proposer of six - \$10,316,949 - Financing: 2003 Bond Funds

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

Later in the meeting addendum addition 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1793

Addendum addition 6: Authorize (1) an increase in the contract with Satterfield & Pontikes Construction, Inc. for the construction of the baggage claim renovation at Dallas Love Field to provide 42 additional contract days and compensation for the postponement of construction due to an increase in passenger volume resulting from holiday travel schedules, in the amount of \$69,056, from \$8,311,675 to \$8,380,731; and, (2) an increase in appropriations in the amount of \$69,056 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Total not to exceed \$69,056 - Financing: Aviation Capital Construction Funds (\$17,264), Federal Aviation Administration Airport Improvement Grant Funds (\$51,792)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1794

Addendum addition 7: Authorize an increase in the contract with Eagle Contracting, L.P. for additional work associated with the structural rehabilitation and electrical improvements at the Greenville Pump Station - \$181,815, from \$9,954,000 to \$10,135,815 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1795

Addendum addition 8: A resolution authorizing support of the Signature Project/Signature Point Planning Project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and the West Dallas Chamber of Commerce to conduct a planning study for the area bounded by Singleton Boulevard, Trinity River, Interstate 30, and Sylvan Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1796

Addendum addition 9: A resolution authorizing support of the Midtown/Central/University Transit Oriented Development Project for the Regional Transportation Council Sustainable Development Program, and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments, Prescott Realty, and Southern Methodist University for infrastructure improvements to enhance pedestrian connections to the Mockingbird Rail Station and Katy Trail - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1797

Addendum addition 10: Authorize eight waiver agreements with the Texas Department of Transportation for the local match fund participation requirements on the eight approved Federal Off-System Bridge Program projects (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1798

Addendum addition 11: Authorize eight Local Project Advanced Funding Agreements with the Texas Department of Transportation for the replacement or rehabilitation of eight City-owned bridges as part of the approved Federal Off-System Bridge Program (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1799

Addendum addition 12: Authorize a Project Specific Agreement with Dallas County for participation in the design and construction of paving, drainage, and amenity improvements at the intersection of Gaston Avenue and Washington Avenue - \$2,265,000 - Financing: 2003 Bond Funds (\$1,760,000), Private Funds (\$505,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1800

Addendum addition 13: Authorize (1) a Participation Agreement with Baylor Health Care System, Inc. for the design and construction of amenity improvements at the intersection of Gaston Avenue and Washington Avenue, (2) the receipt and deposit of funds from Baylor Health Care System, Inc. in an amount not to exceed \$505,000, and (3) an increase in appropriations in the amount of \$505,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$505,000 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1801

Addendum addition 14: Authorize (1) an earnest money contract with Isaac Mayer Wise Academy for the acquisition of approximately 85,377 square feet of land located at the intersection of Northaven Road and Dallas North Tollway for the Preston/Royal Library Relocation Project, in the amount of \$151,000, and, (2) an increase in appropriations in the amount of \$151,000 in the Department of Development Services budget - Total not to exceed \$151,000 - Financing: Contingency Reserve Funds

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

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

Councilmember Rasansky moved to defer until the August 9, 2006 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar.

After discussion, Deputy Mayor Pro Tem Garcia moved to substitute for Councilmember Rasansky's motion to approve the item as presented.

Motion seconded by Councilmember Chaney.

After discussion, Mayor Miller called the vote on Deputy Mayor Pro Tem Garcia's substitute motion to approve the item as presented:

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

Mayor Miller declared the substitute motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1802

Addendum addition 15: Authorize the quitclaim of 33 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$246,753

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1803

Addendum addition 16: Authorize the sale of approximately 87,367 square feet of unwanted and unneeded City-owned land, improved with the Southern Skates Skating Rink located near the intersection of Ledbetter Drive and Sunnyvale Street to the only bidder, Paul M. Kim - Revenue: \$520,123

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

The city secretary requested that addendum addition consent agenda item 16 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 16 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 addendum addition consent agenda item 16 was brought up for consideration.

The following individual addressed the city council regarding this item:

Dan Estrada, 3010 LBJ Freeway

Councilmember Thornton-Reese moved to approve the item with the following changes:

"As recommended by the Economic Development and Housing Committee on June 5, 2006, I move to reject the bid submitted by Paul M. Kim for the purchase of the Southern Skates Skating Rink and direct staff to:

- (a) continue operation of the skating rink for 90 days;
- (b) upon the expiration of the 90 days, the rink operations be closed and the facility made available for long term use by the other City Departments; and
- (c) if no appropriate City need or use is identified within 9 months for the 90-day expiration date, the City will consider re-offering the property for sale as surplus property."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-1803

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Motion seconded by Councilmember Fantroy.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1804

Addendum addition 17: Authorize a thirty-six-month master agreement for the rental and maintenance of copiers for various City facilities through the Texas Building and Procurement Commission purchasing program, with Xerox Corporation in the amount of \$3,995,928, Minolta Corporation in the amount of \$2,379,384, OFSI, Inc. in the amount of \$556,992 and Panasonic Copier Company in the amount of \$428,940 - Total not to exceed \$7,361,244 - Financing: Aviation Current Funds (\$74,546), Convention and Event Services Current Funds (\$97,080), Water Utilities Current Funds (\$663,378) and Current Funds (\$6,526,240)

Councilmember Rasansky requested that addendum addition consent agenda item 17 be considered as an individual item. Mayor Miller stated that addendum addition 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 addendum addition consent agenda item 17 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1805

Addendum addition 18: Authorize (1) the creation of a Cooperative Purchasing Program with interested public entities which will allow participants to purchase from each other's contracts for goods and services when economical, (2) Cooperative Purchasing Program participants to access the City's Verizon wireless contract, and (3) the use of rebates, paid by various vendors to the City, in all qualifying contracts - Estimated Annual Net Revenue: \$50,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1806

Addendum addition 19: Authorize (1) rescinding the thirty-six-month service contract with Williams Landscaping Services and Forest Hills Lawn Service for grounds maintenance at Hensley Field, previously approved on February 22, 2006, by Resolution No. 06-0624; and (2) a thirty-six-month service contract for grounds maintenance at Hensley Field with the lowest responsible bidders of four - Good Earth, Inc. in the amount of \$271,850 and Urban Landscaping & Irrigation in the amount of \$34,500 - Total not to exceed \$306,350 - Financing: Naval Air Station Redevelopment Funds

Councilmember Rasansky requested that addendum addition consent agenda item 19 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 19 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 consent agenda item 19 was brought up for consideration.

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1807

Addendum addition 20: Authorize a thirty-six-month master agreement for irrigation parts and supplies used for the repair of sprinkler and irrigation systems at City facilities with the lowest responsible bidders of four - Metro Irrigation Supply Company in the amount of \$341,260, Wickham Supply, Inc. in the amount of \$86,840 and Professional Turf Prod. of TX, Inc. in the amount of \$84,400 - Total not to exceed \$512,500 - Financing: Aviation Current Funds (\$20,000), Current Funds (\$444,000), Water Utilities Current Funds (\$48,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1808

Addendum addition 21: Authorize (1) the purchase of hardware and software to upgrade the 9-1-1 telephone system infrastructure in the amount of \$2,816,449; and, (2) a sixty-month service and maintenance agreement in the amount of \$2,908,508 with the most advantageous proposer of three - SBC-AT&T - Total not to exceed \$5,724,957 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes (\$2,816,449), Current Funds (\$2,908,508) (subject to annual appropriations)

Councilmember Rasansky requested that addendum addition consent agenda item 21 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 21 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting addendum addition consent agenda item 21 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 Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1809

Addendum addition 22: Authorize a thirty-six-month master agreement for drafting supplies with the lowest responsible bidders of four - Corporate Express ICGS in the amount of \$502,661, Archive Supplies, Inc. in the amount of \$121,074, Vanderburg Drafting Supplies, Inc. in the amount of \$38,600 and Limitless Office Products in the amount of \$32,047 - Total not to exceed \$694,382 - Financing: Water Utilities Current Funds (\$100,000), Current Funds (\$564,382), and Building Inspection Current Funds (\$30,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1810

Addendum addition 23: Authorize a thirty-six-month master agreement for unleaded gasoline, Texas low-emission diesel fuel and biodiesel fuel with the lowest responsible bidder of four - Douglass Distributing - Not to exceed \$43,406,940 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition consent agenda item 23 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 23 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting addendum addition consent agenda item 23 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1811

Addendum addition 24: Authorize the purchase of school supply packets for the Mayor's 2006 Back-to-School Fair to be held on August 2, 2006, in the Automobile Building at Fair Park located at 1010 First Avenue, from the only bidder - Top Ten Fund Raisers, Inc. dba Desktop School Supplies - Not to exceed \$126,740 - Financing: Gift and Donations Funds

The city secretary requested that addendum addition consent agenda item 24 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 24 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.

The following individuals addressed the city council regarding the item:

Matt McDavis, 1342 N. I-35 East
Rick Phelan, 1342 N. I-35 East
Larry Jost, 210 Adell Blvd.

Councilmember Rasansky moved to approve this item.

Motion seconded by Councilmember Salazar.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1812

Addendum addition 25: Authorize a twenty-four-month master agreement for fresh produce used for feeding the animals at the Dallas Zoo, with the lowest responsible bidder of two - Paradise Fruits & Vegetables, Inc. - Not to exceed \$137,775 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1813

Addendum addition 26: Authorize the purchase of hardware and software for the Automated Fingerprint Identification System and a sixty-month maintenance and support agreement with NEC Solutions (America), Inc. - Sole Source - Not to exceed \$508,889 - Financing: Current Funds (\$247,889), Bureau of Justice Assistance Grant Funds (\$261,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1814

Addendum addition 27: Authorize the purchase, installation and maintenance of a video surveillance camera system in the Central Business District with the most advantageous proposer of six - Bearcom Operating, LP - Not to exceed \$772,506 - Financing: Meadows Foundation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1815

Addendum addition 28: Authorize a thirty-six-month master agreement for anhydrous ammonia and bulk chlorine, with the lowest responsible bidders of three - DPC Industries Company in the amount of \$9,529,566 and Airgas Specialty Products, Inc. in the amount of \$1,950,000 - Total not to exceed \$11,479,566 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1816

Addendum addition 29: Authorize a thirty-six-month service contract for maintenance and parts for the hot water boilers at the Southside Wastewater Treatment Plant, with the lowest responsible bidder of two - Page Boiler Works, Inc. - Not to exceed \$391,423 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1817

Addendum addition 30: Authorize the purchase of fiberglass gratings with stainless steel fasteners for walkways at the Central Wastewater Treatment Plant, from the lowest responsible bidder of two - Plant Equipment & Services, Inc. - Not to exceed \$64,900 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1818

Addendum addition 31: Authorize the purchase of a flow injection analyzer for analyzing wastewater samples at the Central Wastewater Treatment Plant, with the lowest responsible bidder of two - Hach Company - Not to exceed \$54,551 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1819

Addendum addition 32: Authorize the purchase of fifteen clutches for sludge pumps at the Central Wastewater Treatment Plant from the only bidder - EMICC, Inc. - Not to exceed \$72,600 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1820

Addendum addition 33: Authorize the purchase of chlorine analyzers from the lowest responsible bidder of two - Macaulay Controls Company - Not to exceed \$84,750 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1821

Addendum addition 34: Authorize settlement of the claim filed by National Interstate Insurance Company, as subrogee of Cowtown Bus Charters, Claim No. 20043512-0002 - Not to exceed \$12,541 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1822

Addendum addition 35: Authorize a professional services contract with the law firm of Mounce, Green, Myers, Safi & Galatzan P.C., for legal services and representation of the City in matters related to Petition for De Novo Review of the Reduction of the Gas Utility Rates of Atmos Energy Corp., Mid-Tex Division, by the Cities of Addison, Benbrook, Blue Ridge, et al., and Statement of Intent to Increase the Gas Utility Rates of Atmos Energy Corp., Mid-Tex Division, on a System-Wide Basis, Railroad Commission of Texas Gas Utilities Docket 9670 - Not to exceed \$260,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1823

Addendum addition 36: An ordinance amending Chapter 7 of the Dallas City Code to (1) allow registered Texas-based transient circuses to temporarily possess prohibited animals within the city under certain conditions; (2) provide registration requirements, procedures, and fees for those circuses; (3) provide care, treatment, transportation, caging, notice, reporting, and other requirements for the possession of prohibited animals in the city by those circuses; and (4) provide for criminal and civil enforcement of city and state regulations governing prohibited animals - Financing: No cost consideration to the City

The city secretary announced that the City Manager had deleted addendum addition consent agenda item 36 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1824

Addendum addition 37: Authorize a contract with Shared Housing Center, Inc. to provide temporary emergency housing services to critically-at-risk older adults, single homeless parents with young children, and persons with special needs who are seeking to elevate themselves from homeless and near homeless situations to lifestyles of relative self-sufficiency for the period October 1, 2006 through September 30, 2007 - Not to exceed \$52,000 - Financing: 2006-07 Emergency Shelter Grant Funds

Councilmember Rasansky requested that addendum addition consent agenda item 37 be considered as an individual item. Mayor Miller stated that addendum addition 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 addendum addition consent agenda item 37 was brought up for consideration.

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1825

Addendum addition 38: Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center at Dallas for an outreach program for persons with HIV/AIDS for the period October 1, 2006 through September 30, 2007 - Not to exceed \$80,000 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1826

Addendum addition 39: Authorize (1) the acceptance of a grant from the U.S. Environmental Protection Agency; (2) a financial assistance agreement with the U.S. Environmental Protection Agency for the 2006 Brownfields Assessment Grant to provide funding for Phase I and II environmental site assessments; and (3) execution of the grant agreement - Not to exceed \$200,000 - Financing: U.S. Environmental Protection Agency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1827

Addendum addition 40: Authorize (1) a public hearing to be held on August 9, 2006, to receive comments on renewal of the public improvement district, known as the Dallas Downtown Improvement District (District), for the purposes of providing supplemental public services and improvements, to be funded by assessment on real property and real property improvements located in the District, and at the close of the hearing, (2) consideration of a resolution renewing the Dallas Downtown Improvement District for the purpose of providing supplemental public services, to be funded by an assessment for each property owner of record on real property and real property improvements in the District; and providing an effective date; and (3) approval of the Downtown Improvement District Service Plan for 2007-13 - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition consent agenda item 40 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 40 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 consent agenda item 40 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 Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1828

Addendum addition 41: Authorize rescinding Resolution No. 05-2808, previously approved on September 28, 2005, creating Reinvestment Zone No. 62 and authorizing a 50 percent tax abatement for five years on added value to real property and a rebate of development fees up to \$10,000 for Prime Art and Jewel, Inc. at 18325 Waterview - Financing: No cost consideration to the City

Councilmember Rasansky requested that addendum addition consent agenda item 41 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 41 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 consent agenda item 41 was brought up for consideration.

Councilmember Natinsky moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

Mayor Miller declared the motion adopted on a divided vote, with Mayor Miller and Councilmember Rasansky voting "No". (Hill, Fantroy, Blaydes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1829

Addendum addition 42: Authorize (1) a five-year economic development grant agreement with Prime Art and Jewel, Inc. for improvements including the consolidation of its corporate headquarters, manufacturing and distribution facility at 18325 Waterview as well as job creation and retention in an amount not to exceed \$56,000; and (2) a rebate of development fees up to \$10,000 paid to the City in conjunction with improvements made at 18325 Waterview - Total not to exceed \$66,000 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1830

Addendum addition 43: Authorize (1) a development agreement with AP/APH Stoneleigh L.P., to provide for the funding of historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF eligible expenditures necessary for the redevelopment of the Stoneleigh Hotel located at 2927 Maple Avenue in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District), and, (2) the disbursement of funds to AP/APH Stoneleigh L.P., from future tax incremental revenue of the Downtown Connection TIF District in an amount not to exceed the lesser of (a) the actual tax increment collected on 2927 Maple Avenue from project completion through 2023, or, (b) \$2,500,000 for TIF-eligible expenditures - Total not to exceed \$2,500,000 - Financing: Downtown Connection TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1831

Addendum addition 44: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse AP/APH Stoneleigh L.P., for eligible expenditures pursuant to the development agreement with AP/APH Stoneleigh L.P., in an amount not to exceed the lesser of (a) the actual tax incremental revenue collected on 2927 Maple Avenue from project completion through 2023, or, (b) \$2,500,000 for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures related to the redevelopment of the Stoneleigh Hotel located at 2927 Maple Avenue in the Downtown Connection TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1832

Addendum addition 45: Authorize an infrastructure cost participation agreement with Polk Hampton, LLC. for water, wastewater, storm drainage, and paving improvements in an amount not to exceed 30 percent of the total contract price of \$876,252 - Total not to exceed \$262,876 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1833

Addendum addition 46: Authorize modifications to certain policies, procedures and guidelines for operating the South Dallas/Fair Park Trust Fund
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1834

Addendum addition 47: Authorize Supplemental Agreement No. 4 to the contract with CGI-AMS, Inc. to implement a three-year maintenance agreement to the City's financial and accounting system, Advantage 3 Financial application - Not to exceed \$814,128, from \$3,102,325 to \$3,916,453 - Financing: Current Funds (\$542,752 subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

JUNE 28, 2006

06-1835

Addendum addition 48: Authorize a resolution encouraging the Dallas Area Rapid Transit Board to include the use of federal funds and long-term debt in calculating financial capacity for future transit development, and endorsing a prioritized list of ten rail transit lines for inclusion in Dallas Area Rapid Transit's 2030 Transit System Plan - Financing: No cost consideration to the City

Councilmember Natinsky requested that addendum addition consent agenda item 48 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting, addendum addition consent agenda item 48 was brought up for consideration.

Councilmember Koop moved to approve the resolution with the following changes:

Insert in Section 2;

- "2) Cotton Belt LRT Line from Bush Turnpike to Downtown Carrollton with the following conditions applied to the City of Dallas section:
- a) rail technology used is light rail transit,
 - b) rail line is below grade from at least 1500 feet east of Meandering Way to 2000 feet west of Preston Road,
 - c) freight rail service is eliminate
 - d) stations are provided at Knoll Trail, at Preston Road (neighborhood station),and west of Coit Road.
 - e) enchanced landscaping and sound attenuation using cantilevered barriers are provided adjacent to single-family residential areas, and,
 - f) cooperation is provided in the development and implementation of a trail within the Cotton Belt corridor, as shown on the City of Dallas Trail Master Plan".

Add a new Section 3;

"Section 3. That the City Council requests that the DART Board rename the "Brookhollow" Station on the Northwest LRT (Green) line to be called the "Love Field" Station."

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

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Later in the meeting, Councilmember Koop moved to reconsider the previous vote on her motion to approve addendum addition item 48 with changes to allow Councilmember Blaydes to vote on the item.

Motion seconded by Councilmember Natinsky.

After discussion, Mayor Miller called the vote on Councilmember Koop's motion to reconsider the vote on her motion to approve addendum addition item 48 with changes to allow Councilmember Blaydes to vote on the item.

Mayor Miller declared the motion to reconsider was adopted, and that addendum addition item 48 was before the council for reconsideration.

Councilmember Koop moved to approve the resolution with the changes previously read into the record.

Motion seconded by Councilmember Natinsky and unanimously adopted.

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06-1836

Addendum addition 49: Zoning Case Z056-232 (JH)

The addendum addition consent zoning docket, consisting of agenda item 49, was presented.

Deputy Mayor Pro Tem Garcia requested that addendum addition consent agenda item 49 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 49 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

A public hearing was called on Zoning Case Z056-232 (JH), an application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned Area 4 within Planned Development District No. 316, the Jefferson Boulevard Special Purpose District, on the northwest corner of Sunset Avenue and Madison Avenue.

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

Deputy Mayor Pro Tem Garcia moved close the public hearing and deny the application with prejudice.

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

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JUNE 28, 2006

06-1837

Addendum addition 50: Public Hearing – WRIGHT AMENDMENT ISSUES

A public hearing to receive comments concerning the proposed local solution regarding Wright Amendment issues - Financing: No cost consideration to the City.

The following individual addressed the city council regarding the item:

Al Taylor, 5830 Buffridge Tr.
Louis McPerson, 1115 Manorview Cr. Representing Small Community Airlines
Raymond Mbala, 3100 Main St.
Wilma Avalos, 2318 Anson
Debra Moore, 7415 Caillet St.
Mike Luckcock, 6131 Bordeaux
Neil Emmons, 2525 Turtle Creek Blvd.
Patricia White, 4714 Wildwood Rd., representing Love Field Citizens Action Committee
Rudy Longoria, 1020 Spokane Circle
Rick Gonzales, 4238 S. Cresthaven
William H. Foster, 4504 N. Versailles Ave., **Highland Park, TX.** representing Friends of Love Field
Lori Palmer, 10255 County Rd. #356, **Terrell, TX.** representing Consultant to Love Field Citizens Action Committee

Councilmember Rasansky moved to close the public hearing.

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

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JUNE 28, 2006

06-1838

Addendum addition 51: Authorize a concurrent resolution of the cities of Dallas and Fort Worth (1) approving the June 15, 2006 Joint Statement between the City of Dallas, City of Fort Worth, Southwest Airlines, American Airlines and Dallas/Fort Worth International Airport (Parties) to resolve the Wright Amendment issues; (2) authorizing a contract between the Parties incorporating the terms of the June 15, 2006 Joint Statement of the Parties; and (3) requesting the United States Congress to incorporate the terms of the June 15, 2006 Joint Statement in any legislation enacted by Congress regarding the Wright Amendment - Financing: No cost consideration to the City

Councilmember Rasansky moved to approve the resolution.

Motion seconded by Councilmember Salazar.

After discussion, Mayor Miller called the vote on Councilmember Rasansky's motion to approve the resolution:

Voting Yes:	[11]	Miller, Garcia, Medrano, Oakley, Salazar, Chaney, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No:	[1]	Thornton-Reese,
Absent:	[3]	Hill, Fantroy, Blaydes absent when vote taken

Mayor Miller declared the motion adopted.

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06-1839

Addendum addition 52: Authorize acceptance of the Dallas Love Field Impact Analysis Update should the Wright Amendment be repealed - Financing:
No cost consideration to the City

Councilmember Natinsky moved to amend the motion to state “Authorize acceptance of the Dallas Love Field Impact Analysis Update” and delete wording “should the Wright Amendment be repealed”.

Motion seconded by Councilmember Hunt.

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

Mayor Miller declared the motion adopted on a divided vote, with Councilmember Thornton-Reese voting “No”. (Hill, Fantroy, Blaydes absent when vote taken)

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06-1840

Addendum addition 53: Authorize Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. to provide a review of the current wholesale treated water rate structure and give technical advice and assistance regarding issues related to the Memorandum of Agreement with the wholesale treated water customer cities and the wholesale treated water rate setting process - Not to exceed \$200,000, from \$24,000 to \$224,000 - Financing: Water Utilities Capital Construction Funds

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

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JUNE 28, 2006

06-1841

Closed Session

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

- Legal issues including possible settlement in Railroad Commission of Texas Gas Utilities Docket 9530, In re Atmos Energy Gas Cost Review
- Legal issues regarding wholesale water rate structure and related matters
- Black Fire Fighters' Association employment claims

At 12:29 p.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.)

Councilmember Blaydes announced that he had a conflict of interest and would abstain participating in any discussion. Councilmember Blaydes left the briefing room.

- Legal issues related to proposed local solution regarding the Wright Amendment issue and related contracts
- Legal issues related to the removal of Associate Municipal Judge Elizabeth Davis-Frizell
- Legal issues regarding wholesale water rates structure and related matters
- Legal issues related to Black Fire Fighters' Association employment claims

The Mayor reconvened the city council after the closed session at 2:23 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 28, 2006

EXHIBIT C