

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 9, 2006

06-1970

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 9:22 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.

Eli Ramirez, St. Mark School of Texas, 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 5:09 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, AUGUST 9, 2006

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 9, 2006

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1971

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: 2005 Financial report/Ethic on Councilmember

SPEAKER: Al Lipscomb, 830 Clearwood Dr.
SUBJECT: Information

SPEAKER: Rich Sheridan, 3022 Forest Lane
SUBJECT: Decline of Dallas

SPEAKER: John Atkins, 4502 Second Ave.
SUBJECT: Second Avenue

SPEAKER: Ella Bright, 4508 Second Ave.
SUBJECT: Second Avenue

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Ernestine Anderson, 9855 Shadow Way
SUBJECT: Cruelty

SPEAKER: Ruby Golden, 1618 Marburg St.
SUBJECT: Pay station at the MLK Center & recycling plant in neighborhood

SPEAKER: Willie Mae Coleman, 3802 York St.
SUBJECT: Concern with furniture vendors

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
06-1971
Page 2

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1972

Item 1: Approval of Minutes of the June 28, 2006 City Council Meeting

Councilmember Hunt moved to approve the minutes.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1973

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-64 and addendum addition consent agenda items 1-8, were presented for consideration.

Mayor Pro Tem Hill requested that consent agenda item 50 and 51 be considered as individual items. Mayor Miller stated that consent agenda item 50 and 51 be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Councilmember Natinsky requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 24, 28, 34, 38, 40, 41, 42, 45 and addendum addition consent agenda items 3, 5 and 7 be considered as individual items. Mayor Miller stated that consent agenda items 24, 28, 34, 38, 40, 41, 42, 45 and addendum addition consent agenda items 3, 5 and 7 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 24, 28, 34, 36, 38, 40, 41, 42, 45, 50, and 51 and addendum addition consent agenda items 3, 5, and 7 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1974

Item 2: Authorize a professional services contract with APM & Associates, Inc. for the design of street paving, storm drainage, water main improvements and topographic survey on Cooper Street from South Lamar Street to Cleveland Street - \$46,730 - Financing: 2003 Bond Funds (\$41,100), Water Utilities Capital Improvement Funds (\$5,067) and Water Utilities Capital Construction Funds (\$563)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1975

Item 3: Authorize a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering services for sludge system improvements at the Bachman Water Treatment Plant - \$910,300 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1976

Item 4: Authorize a contract for the reconstruction of street paving, storm drainage and water main improvements on Calvert Street from Irving Boulevard to 5000-5100 Halifax Street - Tiseo Paving Company, lowest responsible bidder of five - \$960,189 - Financing: 2003 Bond Funds (\$738,844), Water Utilities Capital Improvement Funds (\$198,695), and Water Utilities Capital Construction Funds (\$22,650)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1977

Item 5: Authorize a contract for the construction of a new Fire Station No. 40 to be located at 2440 Kirnwood Drive - CME Builders & Engineers, Inc., best value proposer of six - \$3,034,299 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1978

Item 6: Authorize a contract for the construction of alley paving, storm drainage, driveways, water and wastewater improvements on the alley between Mimosa Lane and Aberdeen Avenue from Tulane Boulevard to Tibbs Street, and the alley between Meadow Road and Glendora Avenue from Edgemere Road to Thackery Street - Meztec Contractors, Inc., lowest responsible bidder of three - \$478,861- Financing: 2003 Bond Funds (\$276,989), Water Utilities Capital Construction Funds (\$201,872)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1979

Item 7: Authorize (1) a contract for the construction of alley paving and streetscape improvements on 1111 South Akard Street located in Tax Increment Reinvestment Zone Number Four (Cedars TIF District) with The G. C. Group of North Texas, L.L.C., lowest responsible bidder of four, in an amount not to exceed \$104,515, (2) assignment of the contract to Presideo Investments, Inc., for construction administration, and (3) payment to Presideo Investments, Inc. in an amount not to exceed \$14,000 for construction administration and testing - Total not to exceed \$118,515 - Financing: Private Funds (advance from Presideo Investments, Inc.)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1980

Item 8: Authorize a contract for the construction of alley paving, storm drainage, and water and wastewater improvements on the alley between Waggoner Drive and Meadow Road from Tibbs Streets to Edgemere Road and Edgemere Road to Thackery Street - Meztec Contractors, Inc., lowest responsible bidder of four - \$393,058 - Financing: 2003 Bond Funds (\$217,293), Water Utilities Capital Construction Funds (\$175,765)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1981

Item 9: Authorize a contract for the construction of the expansion and earthwork for Transfer Pump Station No. 3 at the East Side Water Treatment Plant - T. J. Lambrecht Construction, Inc., lowest responsible bidder of three - \$4,999,010
- Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1982

Item 10: Authorize a contract for the construction of heating, ventilation and air conditioning and laboratory improvements at the Southside Wastewater Treatment Plant - Satterfield & Pontikes Construction, Inc., lowest responsible bidder of two - \$1,573,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1983

Item 11: Authorize a contract for the construction of a dedicated solids disposal field and site drainage improvements on the northwest side of the Southside Wastewater Treatment Plant - Sludge Technology, Inc., lowest responsible bidder of six - \$2,380,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1984

Item 12: Authorize an increase in the contract with Harrison Quality Construction for the relocation of utility lines and to expand the scope of work for the South Dallas Cultural Center located at 3400 Fitzhugh - \$152,265, from \$1,739,625 to \$1,891,890 - Financing: Capital Construction Funds (\$132,000) and Current Funds (\$20,265)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1985

Item 13: Authorize Supplemental Agreement No. 4 to the contract with Hargreaves Associates for the construction documents and construction observation for the implementation of Phase I of the Fair Park Comprehensive Plan including entrance modifications at Martin L. King, Jr. Blvd. and Grand Avenue at Cullum Blvd. - \$111,830, from \$1,984,591 to \$2,096,421 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1986

Item 14: Authorize an increase in the contract with V.A. Construction, Inc. for the reconstruction of street paving, storm drainage, water and wastewater main improvements on First Avenue from R.L. Thornton Freeway to Ash Lane, to provide for the removal of two sets of old railroad tracks, disposal of ties, rails, concrete foundation and select fill for voids in the subgrade after removal of the railroad track foundation - \$47,440, from \$307,798 to \$355,238 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1987

Item 15: Authorize an increase in the contract with Cajun Constructors, Inc., for additional work associated with hydraulic improvements at the Bachman Water Treatment Plant - \$309,063, from \$18,661,045 to \$18,970,108 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1988

Item 16: Authorize an increase in the contract with Archer Western Contractors, Ltd., for additional work associated with ozone facilities and chemical feed system improvements at the Bachman Water Treatment Plant - \$427,199, from \$22,755,000 to \$23,182,199 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1989

Item 17: Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with diffused aeration and process improvements at the Southside Wastewater Treatment Plant - \$273,339, from \$23,787,803 to \$24,061,142 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1990

Item 18: Authorize an increase in the contract with Satterfield & Pontikes Construction, Inc. for additional work associated with maintenance and process control improvements at the Central Wastewater Treatment Plant - \$154,625, from \$5,171,000 to \$5,325,625 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1991

Item 19: Authorize Supplemental Agreement No. 3 to the professional services contract with Carter & Burgess, Inc. for construction inspection of the 108-inch Lake Fork raw water transmission line - \$1,337,193, from \$8,179,082 to \$9,516,275
- Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1992

Item 20: Authorize Supplemental Agreement No. 1 to the professional services contract with Camp Dresser & McKee, Inc. for additional work associated with the design of sidestream treatment facilities at the Southside Wastewater Treatment Plant - \$374,568, from \$3,189,719 to \$3,564,287 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1993

Item 21: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at Kiest Boulevard and Mountain Creek Parkway - \$30,254 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1994

Item 22: Authorize an increase in the agreement with the Texas Department of Transportation for water and wastewater main appurtenance adjustments, a change to the intersection of Garland Road and Buckner Boulevard from no asphalt to 4.5 inches of asphalt with decorative stamped pavement, and the relocation of Dallas Water Utilities facilities in conjunction with the Congestion Mitigation and Air Quality Program - \$607,001, from \$1,564,256 to \$2,171,257 - Financing: Water Utilities Capital Improvement Funds (\$587,577), Water Utilities Capital Construction Funds (\$19,424)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1995

Item 23: Authorize an Advanced Funding Agreement with the Texas Department of Transportation for the construction of a concrete cap over a 16-inch water main and water manhole adjustments on the north side of Interstate Highway 20 from Bonnie View Road to 1500 feet west of J. J. Lemmon Road - \$27,567 - Financing: Water Utilities Capital Improvement Funds (\$18,367), Water Utilities Capital Construction Funds (\$9,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1996

Item 24: Authorize an Interlocal Agreement with Atmos Energy Corporation for the relocation of a 20-inch high pressure gas line located at the East Side Water Treatment Plant - \$614,222 - Financing: Water Utilities Capital Improvement Funds

Councilmember Rasansky requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda item 24 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 24 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Oakley.

After discussion, Mayor Miller called for a vote on Deputy Mayor Pro Tem Garcia's motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1997

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of land containing approximately 192,758 square feet located at the intersection of Lake June and Houghton Roads from Church of God Sinai, of Church of God for the Pleasant Grove Library Relocation Project - \$230,900 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1998

Item 26: Authorize (1) a secured one percent interest forgivable loan in CDBG funds and as part of the Residential Development Acquisition Loan Program loan to East Dallas Community Organization, a City certified Community Housing Development Organization, for the acquisition of three properties located at 5302 Bexar Street, improved with a convenience store; 5300 Bexar Street a vacant lot; and 2448 Starks Avenue, improved with a car wash, for the Bexar Street Redevelopment Project in the amount of \$192,615; (2) \$30,000 for demolition costs for the properties located at 5302 Bexar Street and 2448 Starks Avenue; and (3) rescinding Resolution No. 06-1073 previously approved on April 12, 2006, which provided City funding for relocation costs on the property located at 5302 Bexar Street (list attached) - Total not to exceed \$222,615 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-1999

Item 27: A resolution declaring 13 properties unwanted and unneeded and authorizing their conveyance to East Dallas Community Organization, a City certified Community Housing Development Organization, in the amount of \$10 and a promise to provide 31 townhomes for low to moderate income homebuyers (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2000

Item 28: Authorize a third amendment to the lease agreement with MLT Development Co. to add approximately 3.794 acres of unimproved land at Dallas Love Field and increase the annual rent in the amount of \$52,890, from \$258,956 to \$311,846 - Annual Revenue: \$52,890

Councilmember Rasansky requested that consent agenda item 28 be considered as an individual item. Mayor Miller stated that consent agenda item 28 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 28 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Blaydes.

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

Voting Yes: [8] Hill, Garcia, Oakley, Thornton-Reese, Salazar, Fantroy, Griffith,
Blaydes

Voting No: [7] Miller, Medrano, Chaney, Koop, Natinsky, Rasansky, Hunt

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2001

Item 29: Authorize a ten-year lease agreement with the Federal Aviation Administration for approximately 2,650 square feet of land to house equipment for the Instrument Landing System at Dallas Executive Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2002

Item 30: Authorize a twenty-year Memorandum of Agreement with the Federal Aviation Administration for various land sites and easements for the location of existing navigational air facilities at Dallas Executive Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2003

Item 31: Authorize an amendment to extend the lease agreement with Oak Cliff Country Club for an additional five-year term containing approximately 400 square feet of land improved with facilities and equipment for the Instrument Landing System at Dallas Executive Airport - Not to exceed \$5 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2004

Item 32: Authorize a five-year sublease agreement with the Federal Aviation Administration for approximately 400 square feet of land to house equipment for the Instrument Landing System at Dallas Executive Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2005

Item 33: Authorize confirmation of termination of a 75-foot temporary construction easement located near the intersection of Faulkner Point Way and Hemingway Lane - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2006

Item 34: Authorize a thirty-six-month master agreement to continue participation in the U.S. Communities Government Purchasing Alliance Administrative Agreement for the purchase of office supplies from Office Depot - Not to exceed \$6,500,000 - Financing: Current Funds

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

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Mayor Pro Tem Hill.

After discussion, Mayor Miller called for a vote on Deputy Mayor Pro Tem Garcia's motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2007

Item 35: Authorize a thirty-six-month service contract for temporary clerical help with the lowest responsible bidder of four - EuroStaff, A Division of EuroSoft, Inc.
- Not to exceed \$3,906,390 - Financing: Current Funds (\$3,612,390), Water Utilities Current Funds (\$144,000), Convention and Event Services Current Funds (\$90,000), Aviation Current Funds (\$60,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2008

Item 36: Authorize (1) the purchase and installation of a Performance Management Software System in the amount of \$500,000, and (2) a sixty-month maintenance agreement in the amount of \$161,020 with the most advantageous proposer of two - Cognos Corporation - Total not to exceed \$661,020 - Financing: Current Funds (\$161,020 subject to annual appropriations)

Councilmember Natinsky requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting agenda item 36 was brought up for consideration.

Councilmember Natinsky moved to refer this item to the Finance and Audit Committee for briefing and defer consideration of the item until the September 13, 2006 voting agenda meeting of the city council.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2009

Item 37: Authorize a sixty-month master agreement for commercial records storage, retrieval and reference services with the lowest responsible bidder of three - Iron Mountain Records Management, Inc. - Not to exceed \$1,163,419 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2010

Item 38: Authorize a thirty-six-month master agreement for automotive body parts and labor with the lowest responsible bidders of five - Six Construct, Inc. in the amount of \$1,366,050, First Class Auto, Inc. in the amount of \$2,468,700, and Martin's Paint & Body Shop in the amount of \$1,209,180 - Total not to exceed \$5,043,930 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 38 be considered as an individual item. Mayor Miller stated that consent agenda item 38 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 38 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

Later in the meeting, Mayor Pro Tem Hill announced that Councilmember Rasansky had a conflict of interest on the item.

Deputy Mayor Pro Tem Garcia moved to reconsider the previous vote on Councilmember Rasansky's motion to approve the item.

Motion seconded by Councilmember Koop.

After discussion, Mayor Pro Tem Hill called the vote on Deputy Mayor Pro Tem Garcia's motion to reconsider Councilmember Rasansky's motion due to conflict of interest on the item.

Mayor Pro Tem Hill declared the motion to reconsider was adopted and that agenda item 38 was before the council for reconsideration. (Miller absent when vote was taken)

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

Councilmember Koop moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2011

Item 39: Authorize the purchase of a portable gas and vapor identifier from Smiths Detection, Inc. - Sole Source - Not to exceed \$62,500 - Financing: 2005 Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2012

Item 40: Authorize an increase in the service contract with TIBH Industries, Inc., a non-profit corporation, to provide janitorial services at the Morton H. Meyerson Symphony Center, Latino Cultural Center and WRR Radio - Not to exceed \$2,475,682, from \$1,485,409 to \$3,961,091 - Financing: Current Funds (\$2,412,535), Municipal Radio Current Funds (\$63,147)

Councilmember Rasansky requested that consent agenda item 40 be considered as an individual item. Mayor Miller stated that 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 agenda item 40 was brought up for consideration.

Councilmember Koop 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".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2013

Item 41: Authorize an eighty-four-month service contract, with three twelve-month renewal options, for the processing and sale of recycled material with the highest responsible bidder of three - Vista Fibers of Dallas - Estimated Revenue: \$19,836,250

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2014

Item 42: Authorize a sixty-month master agreement for roll carts with the lowest responsible bidder of four - Toter, Inc. - Not to exceed \$10,979,500 - Financing: Current Funds

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

Later in the meeting agenda item 42 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 Councilmember Natinsky's motion:

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

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2015

Item 43: Authorize a twelve-month master agreement for hydrofluosilicic acid to be used for the treatment of potable water, with the only bidder - Pencco, Inc. - Not to exceed \$805,350 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2016

Item 44: Authorize settlement of the lawsuit styled Edward L. Polk, Jr. v. Michael Green and City of Dallas, Cause No. CC-04-11450-E - Not to exceed \$7,000 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2017

Item 45: An ordinance authorizing a correction to Ordinance No. 26369, previously approved by City Council on June 14, 2006, for amendments to Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, an area generally bounded by the CBD/Fair Park Link, the Dallas Area Rapid Transit right-of-way, Parry Avenue, 2nd Avenue, R.L. Thornton Freeway (I-30), and Jullius Schepps Freeway (I-45) to correct language regarding the spacing of tattoo parlors and body piercing studios and minor typographical errors - Z056-199(MF) - Financing: No cost consideration to the City

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

Later in the meeting agenda item 45 was brought up for consideration.

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

Councilmember Chaney moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26408

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2018

Item 46: Authorize Business Assistance Center (BAC) contracts with (1) Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$85,000 to continue management and operation of BAC #1 located at 4622 Maple Avenue; (2) Inner City Community Development Corporation in an amount not to exceed \$85,000 to continue management and operation of BAC #2 located at 4907 Spring Avenue; (3) Greater Dallas Hispanic Chamber of Commerce in amount not to exceed \$85,000 to continue management and operation of BAC #3 located at 2060 Singleton Blvd.; (4) Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$85,000 to continue management and operation of BAC #4 located at 351 West Jefferson Blvd.; (5) MBA Consultants in an amount not to exceed \$85,000 to continue management and operation of BAC #5 located at 1201 W. Camp Wisdom; (6) Greater Dallas Asian American Chamber of Commerce Multi-Ethnic Education and Economic Development Center in an amount not to exceed \$85,000 to continue management and operation of BAC #6 located at 1327 N. Peak Street; and (7) Dallas Fashion Incubator, Inc. in amount not to exceed \$85,000 to continue management and operation of BAC #7 located at 1409 South Lamar - Total not to exceed \$595,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2019

Item 47: Authorize a secured no-interest forgivable loan agreement with Business Assistance Center, Inc. for site work, infrastructure, and construction to build a new 5,000 to 7,000 square foot business, multi-community, and retail complex located at 208 East Wheatland Road - Not to exceed \$225,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2020

Item 48: Authorize (1) exercise of the first renewal option to the contract with the Southern Dallas Development Corporation located at 351 W. Jefferson Blvd., to administer the Southern Dallas Economic Development Programs which include the Business Revolving Loan Program, for the purpose of providing loans and servicing, creating and retaining jobs for low to moderate income persons, and community and economic development revitalization within the 332 U.S. Department of Housing and Urban Development federally-approved census tracts, and (2) any unexpended balances of program income and allocation from prior contracts to be retained and rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2021

Item 49: An ordinance amending the Cedars TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (1) shift funds among budget categories to combine street construction, streetscape, water, sewer, and drainage improvements with pedestrian linkages/lighting and east-west corridor design and construction and decrease the total budget for these expenditures in the amount of (\$1,000,000), from \$5,356,097 to \$4,356,097 and create a new budget category, environmental remediation, with a budget of \$1,000,000; and (2) make corresponding modifications to the Plan and Ordinance No. 23991 to implement such Plan amendments for the Cedars TIF District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2022

Item 50: Authorize (1) a development agreement with Bellview Condo Associates I, Ltd. (Bellview Condo Associates) to provide funding for the design, engineering, professional services and construction of public improvements for The Beat at South Side Station, in Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District); and (2) the Cedars TIF District Board of Directors to dedicate up to \$1,500,000 from Cedars TIF revenues in accordance with the development agreement - \$1,500,000 - Financing: Cedars TIF District Funds

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

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

Mayor Pro Tem Hill and Councilmember Thornton-Reese announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Hill and Councilmember Thornton-Reese left the city council chamber.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2023

Item 51: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Four, (Cedars TIF District) to reimburse Bellview Condo Associates I, Ltd. (Bellview Condo Associates) up to \$1,500,000 for certain TIF eligible project costs related to the development of The Beat at South Side Station, in the Cedars TIF District - Financing: No cost consideration to the City

Mayor Pro Tem Hill requested that consent agenda item 51 be considered as an individual item. Mayor Miller stated that consent agenda item 51 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Later in the meeting agenda item 51 was brought up for consideration.

Mayor Pro Tem Hill and Councilmember Thornton-Reese announced they had a conflict of interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Hill and Councilmember Thornton-Reese left the city council chamber.

Councilmember Medrano moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2024

Item 52: Authorize the first twelve-month renewal option to the contract with YWCA of Metropolitan Dallas for the Teen Parenting Assistance Program for low-to-moderate income persons for the period October 1, 2006 through September 30, 2007 - Not to exceed \$57,500 - Financing: 2005-06 Community Development Grant Funds (\$20,000) and 2006-07 Community Development Grant Funds (\$37,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2025

Item 53: Authorize a contract with Children's Medical Center of Dallas to allow participation in the State's prescription drug discount program to provide prescription drugs at a reduced price in order to treat indigent, uninsured or underinsured individuals seeking medical care for the period of July 31, 2006 through September 30, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2026

Item 54: Authorize the acceptance of a grant from the Department of State Health Services for the City of Dallas' Immunization Initiative Program for the period September 1, 2006 through August 31, 2007 - Not to exceed \$243,761 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2027

Item 55: Authorize (1) the application for and acceptance of a grant from the U.S. Department of Housing and Urban Development, for the provision of housing placement and transitional rental assistance for ex-offenders with HIV/AIDS through Project Reconnect for the period October 1, 2006 through September 30, 2009, and (2) execution of the grant agreement - Not to exceed \$721,000 - Financing: Competitive Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2028

Item 56: Authorize a contract with the Department of State Health Services for the continuation of local health services to non-Medicaid eligible clients through Title V for the period September 1, 2006 through August 31, 2007 - Not to exceed \$65,363 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2029

Item 57: Authorize an Interlocal Agreement with the Dallas County Department of Health and Human Services to provide health screening training to the City of Dallas Health Clinic nurse practitioners for the period September 1, 2006 through August 31, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2030

Item 58: Authorize Supplemental Agreement No. 2 to the professional services contract with Temporary Medical Staffing, Inc., for the provision of a phlebotomist to continue obtaining blood specimens for lead screening for residents of the city of Dallas through September 30, 2006 - Not to exceed \$9,360, from \$44,640 to \$54,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2031

Item 59: Authorize (1) a public hearing to be held on October 11, 2006 to receive comments on the proposed City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan, and, at the close of the public hearing, (2) consideration of approval of the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2032

Item 60: An ordinance approving Dallas/Fort Worth International Airport Board Resolution Nos. 2006-03-068 and 2006-06-207, which amend the Dallas/Fort Worth International Airport Board's Construction and Fire Prevention Standards to add Part Nine, Oil and Gas Exploration and Production, and to make minor revisions to existing standards for clarification purposes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2033

Item 61: Authorize a public hearing to be held on August 23, 2006 to receive comments in preparation of the FY 2006-07 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2034

Item 62: Authorize (1) the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2006 through September 30, 2007; and (2) the execution of any and all documents related to the grant - \$215,200 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2035

Item 63: Authorize (1) the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$30,000 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during the Labor Day holiday, for the period August 15, 2006 through September 30, 2006, (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$8,466, and (3) execution of the grant agreement - Total not to exceed \$38,466 - Financing: Current Funds (\$8,466) and Texas Department of Transportation Grant Funds (\$30,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2036

Item 64: Authorize a professional services contract with R. W. Beck, Inc. for the continuation of landfill biotechnology work and modify the landfill permit to enhance the anaerobic decomposition of solid waste allowing for more efficient use of airspace, and landfill gas production at the McCommas Bluff Landfill - Not to exceed \$121,949 - Financing: North Central Texas Council of Governments Solid Waste Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2037

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 65-71 were presented for consideration.

Agenda items 66, 68, and 71 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 65:	Zoning Case Z056-194 (RB)	
Agenda item 66:	Zoning Case Z056-213 (DW)	[Considered individually]
Agenda item 67:	Zoning Case Z056-239 (WE)	
Agenda item 68:	Zoning Case Z056-240 (WE)	[Considered individually]
Agenda item 69:	Zoning Case Z056-241 (WE)	
Agenda item 70:	Zoning Case Z056-243 (JH)	
Agenda item 71:	Zoning Case Z056-244 (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 Blaydes moved to close the public hearing, accept the recommendation of the city plan commission on the consent zoning cases and pass the ordinances, subject to a site plan and conditions submitted by the applicant as presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2038

Item 65: Zoning Case Z056-1942 (RB)

The consent zoning docket, consisting of agenda items 65-71, was presented.

A public hearing was called on zoning case Z056-1942 (RB), an application for and an ordinance granting an RR Regional Retail District on property designated as the Tract 1C portion of Planned Development District No. 240 along the south line of IH 20, east of Hampton Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26411.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2039

Item 66: Zoning Case Z056-213(DW)

The consent zoning docket, consisting of agenda items 65-71, 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 66 was brought up for consideration.

A public hearing was called on zoning case Z056-213 (DW), an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses on property zoned an O-2 Office and HC Heavy Commercial Subdistricts with Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of McKinnon Street and Cedar Springs Road.

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

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

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

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

Assigned ORDINANCE NO. 26412.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2040

Item 67: Zoning Case Z056-239(WE)

The consent zoning docket, consisting of agenda items 65-71, was presented.

A public hearing was called on zoning case Z056-239 (WE), an application for and an ordinance granting a CS Commercial Service District on property zoned a portion of Planned Development District No. 72 for Automobile Sales and Service on the north line of Inwood Road, west of Lemmon Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26413.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2041

Item 68: Zoning Case Z056-240(WE)

The consent zoning docket, consisting of agenda items 65-71, was presented.

Councilmember Hunt requested that consent agenda item 68 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that consent agenda item 68 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 68 was brought up for consideration.

A public hearing was called on zoning case Z056-240(WE), an application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge or tavern on property zoned Planned Development District No. 619 for mixed uses with Historic Overlay No. 87 on the northwest corner of Fourway Place and Main Street.

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

Councilmember Hunt moved to close the public hearing and follow the City Plan Commission recommendation with the exception that the time period be amended for a two year time period with eligibility for automatic renewals for additional two year periods.

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

Assigned ORDINANCE NO. 26414.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2042

Item 69: Zoning Case Z056-241(WE)

The consent zoning docket, consisting of agenda items 65-71, was presented.

A public hearing was called on zoning case Z056-241 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1455 for a private school use on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District on the northwest line of Ferguson Road at Little Pocket Drive.

(The city plan commission recommended approval 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. 26415.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2043

Item 70: Zoning Case Z056-243(JH)

The consent zoning docket, consisting of agenda items 65-71, was presented.

A public hearing was called on zoning case Z056-243 (JH), an application for and an ordinance granting a D(A) Duplex District on property zoned an A(A) Agricultural District on the north side of Camp Wisdom Road, west of Clarkridge Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26416.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2044

Item 71: Zoning Case Z056-244(JH)

The consent zoning docket, consisting of agenda items 65-71, was presented.

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

A public hearing was called on zoning case A056-244(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 Planned Development Subdistrict No. 3 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Wycliff Avenue and Oak Lawn Avenue.

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

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

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 Koop and unanimously adopted. (Griffith, Rasansky abstain; Miller, Hill absent when vote taken.)

Assigned ORDINANCE NO. 26417.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2045

Item 72: Zoning Case Z056-231(RB) - INDIVIDUAL

A public hearing was called on zoning case Z056-231 (RB), an application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment for a Private club-bar on property zoned within the Subarea 4 portion of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, and an IM Industrial Manufacturing District, both zoning districts possess the D-1 Liquor Control Overlay on the northeast corner of Buckner Boulevard and Kipling Drive.

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

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

Shirley Davidson, 123 Deepwood St.
H. J. Johnson, 2429 South Blvd.
Eugene Thomas, 5654 Windingwood Trail, Chair of Southeast
Dallas Land Use Study

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

Jonathan Vinson, 901 Main St., representing the applicant
Rick Callahan, 3546 Rockbluff Dr.
Joel Claybrook, 8842 Flint Falls Dr.
Donnie Pettengill, 2507 Cumberland, Mesquite, TX
Bill Plaster, 3925 Centenary, University Park, TX
Nery Polanco, 515 Ella Ave.
Lorenzo Lockhart, 2900 Buckner Blvd.
Joe Sanchez, 7314 Beverly Court
Robert Milligan, 7466 FM 2451, Scurry, TX, applicant

Mayor Pro Tem Hill move to approve the ordinance with the following changes:

“That attendance be limited to 21 years and older, increase the amount of the SUP to two years with a two year extension, add one officer for each 100 customers inside and outside, and instruct staff to terminate the tax abatement.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2045

Page 2

Motion seconded by Councilmember Thornton-Reese.

Councilmember Fantroy moved to substitute the motion to deny.

Motion died for lack of second.

After further discussion, Deputy Mayor Pro Tem Garcia called the vote on Mayor Pro Tem Hill's motion.

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

Deputy Mayor Pro Tem Garcia declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2046

Item 73: Zoning Case Z056-218 (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 Z056-218 (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. Note: This item was considered by the City Council at a public hearing on June 28, 2006, and was taken under advisement until August 9, 2006, with the public hearing open.)

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

No one appeared

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

Gregory Smith, 1720 Turtle Point Dr. **DeSoto, Tx.** , representing Oak Cliff Bible Fellowship

Councilmember Fantroy moved to continue the public hearing and hold under advisement until the September 13, 2006 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2047

Item 74: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive comments for alley paving and wastewater main improvements on the alley between State Street and Thomas Avenue from Fairmount Street to Routh Street, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Artco International, Inc., lowest responsible bidder of four - \$79,618 - Financing: 2003 Bond Funds (\$36,179), Water Utilities Capital Improvement Funds (\$42,289), and Water Utilities Capital Construction Funds (\$1,150)

No one addressed the city council regarding the item.

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Miller absent when vote taken)

Assigned ORDINANCE NO. 26418.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2048

Item 75: Public Hearing-DALLAS DOWNTOWN IMPROVEMENTS DISTRICT

A public hearing to receive comments on the renewal of a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code, known as the Dallas Downtown Improvement District (District) for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements located in the District - Financing: No cost consideration to the City

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.

The following individuals addressed the city council regarding the item:

Peter Armato, 4151 Travis, representing Downtown Dallas
Michael Hal Anderson, 6446 Prestonshire Lane
Don Raines, 1509 Main St.

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

Motion seconded by Councilmember Koop and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2049

Item 76: Public Hearing-DALLAS DOWNTOWN IMPROVEMENTS DISTRICT

Authorize the renewal of the Dallas Downtown Improvement District (District), as a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code including (1) approval of findings as to the advisability of the proposed services and improvements, to be funded by assessments on real property and real property improvements and on City property in the District, exclusive of rights-of-way; (2) establishing an effective date; (3) approval of the service plan for 2007-13; (4) designating the Dallas Central Business District Enterprises, Inc., (Dallas CBD Enterprises) as manager of the District; (5) authorizing a contract with the Dallas CBD Enterprises for management of the District; and (6) authorizing appointment of City representatives to the governing Board - \$210,000 - Financing: Current Funds (subject to appropriations)

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.

The following individuals addressed the city council regarding the item:

Peter Armato, 4151 Travis, representing Downtown Dallas
Michael Hal Anderson, 6446 Prestonshire Lane
Don Raines, 1509 Main St.

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

Motion seconded by Councilmember Koop and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2050

Item 77: Public Hearing-DEEP ELLUM PUBLIC IMPROVEMENT DISTRICT

A public hearing to receive comments on the renewal of a public improvement district in accordance with Chapter 372 of the Texas Local Government Code, known as the Deep Ellum Public Improvement District (District), for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements located in the District - Financing: No cost consideration to the City

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.

The following individuals addressed the city council regarding the item:

Sabrina Genaca, 3100 Main St.
Mark Whitberg, 2800 Main St. and 2806 Elm St.
Alan Keyes, 2801 Live Oak

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

Motion seconded by Councilmember Koop and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2051

Item 78: Public Hearing-DEEP ELLUM PUBLIC IMPROVEMENT DISTRICT

Authorize the renewal of the Deep Ellum Improvement District (District), as a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code including (1) approval of findings as to the advisability of the proposed services and improvements, to be funded by assessments on real property and real property improvement; (2) establishing an effective date; (3) approval of the service plan for 2007-13; (4) designating the Deep Ellum Foundation as the management entity of the District; and (5) authorizing a contract with Deep Ellum Foundation for management services - Financing: No cost consideration to the City

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.

The following individuals addressed the city council regarding the item:

Sabrina Genaca, 3100 Main St.
Mark Whitberg, 2800 Main St. and 2806 Elm St.
Alan Keyes, 2801 Live Oak

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

Motion seconded by Councilmember Koop and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2052

Item 79: Public Hearing – PROPOSED ANNEXATION

A public hearing to receive comments regarding the proposed annexation of 0.00143 square miles of unincorporated property located between the cities of Dallas and Irving in the right-of-way of Irving Boulevard from the Trinity River westward for a distance of 200 feet - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2053

Item 80: Public Hearing – AMEND THOROUGHFARE PLAN

A public hearing to receive comments to amend the City of Dallas' Thoroughfare Plan to change the dimensional classification of Harry Hines Boulevard from North Houston Street to Market Center Boulevard from an eight-lane divided roadway within 130 feet of right-of-way to a six-lane divided roadway within 107 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Medrano moved to close the public hearing and approve the ordinance.

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

Assigned ORDINANCE NO. 26419.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2054

Item 81: Public Hearing - AMEND THOROUGHFARE PLAN

A public hearing to receive comments to amend the City of Dallas' Thoroughfare Plan to change the dimensional classifications of (1) Industrial Boulevard from 600 feet south of Corinth Street to Market Center Boulevard from a six-lane divided roadway within 60 to 130 feet of right-of-way to an eight-lane divided roadway within 137 to 150 feet of right-of-way; (2) Continental Avenue from the Trinity River east levee to Stemmons Freeway (I-35 E) from a six-lane divided roadway within 100 to 120 feet of right-of-way to an eight-lane divided roadway within 134 to 150 feet of right-of-way; and (3) Market Center Boulevard from Industrial Boulevard to Oak Lawn Avenue from a six-lane divided roadway within 100 feet of right-of-way to a six-lane divided roadway within 106 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Marcus Wood, representing MixMaster Business Association

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

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

Assigned ORDINANCE NO. 26420.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2055

Item 82: 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)

Deputy Mayor Pro Tem Garcia moved to appoint Mary L. Macias, vice chair, to Judicial Nominating Commission, Chris Gonzales, vice chair, to Landmark Commission, Don Wilmarth, vice chair, to Permit and License Appeal Board and Michael Stimson, vice chair, to Youth Commission.

Motion seconded by Councilmember Oakley and unanimously adopted.

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

06-2075 Board Officers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2056

Item 83: **November 7, 2006 Special Election**

An ordinance ordering a special election to be held in the City of Dallas on Tuesday, November 7, 2006, for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding permanent public improvements - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the ordinance.

Councilmember Oakley seconded the motion and asked Councilmember Thornton-Reese if she would accept a friendly amendment to her motion with the following amendment:

1. That Proposition No. 1 be increased from \$389,975, 000 to \$390, 420,000 for General Obligation Bonds for Street and Transportation Improvements; and
2. That Proposition No. 12 be decreased from \$64,070,000 to \$63,625,000 for General Obligation Bonds for Public Safety facilities, including Police facilities, Fire Facilities and emergency warning systems.

Councilmember Thornton-Reese accepted Councilmember Oakley's friendly amendment as a part of her motion.

In addition, Councilmember Koop announced the address for the early voting clerk be corrected to reflect 2377 Stemmons Frwy., Suite 820, Section 8, page 9 of the ordinance.

After discussion, Mayor Miller called for the vote on Councilmember Thornton-Reese's motion as modified by Councilmember Oakley's friendly amendments and the correction announced by Councilmember Koop.

Mayor Miller declared the motion as modified by the friendly amendment and correction and unanimously adopted.

Assigned ORDINANCE NO. 26421.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2057

Item 84: **November 7, 2006 Special Election**

A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a joint election to be held on Tuesday, November 7, 2006, in an amount not to exceed \$691,000, (2) legal advertising in connection with the November 7, 2006 City Special Election, in an amount not to exceed \$200,000, and (3) an increase in appropriations in the amount of \$659,500 in the City Secretary's Office Elections' budget - Total not to exceed \$891,000 - Financing: Current Funds

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2058

Item 85: **November 7, 2006 Special Election**

A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Collin County, and various other jurisdictions within Collin County, for the conduct of a joint election to be held on Tuesday, November 7, 2006 - \$35,000 - Financing: Current Funds

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2059

Item 86: **November 7, 2006 Special Election**

A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Denton County, and various other jurisdictions within Denton County, for the conduct of a joint election to be held on Tuesday, November 7, 2006 - \$25,000 - Financing: Current Funds

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2060

Item 87: **November 7, 2006 Special Election**

A resolution authorizing the appointment of citizens to serve as election judges for the November 7, 2006 joint election - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2061

Item 88: **November 7, 2006 Special Election**

A resolution authorizing the appointment of citizens to serve as election judges for the City of Dallas in Collin County for the November 7, 2006 joint election - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2062

Item 89: **November 7, 2006 Special Election**

A resolution authorizing the appointment of citizens to serve as election judges for the City of Dallas in Denton County for the November 7, 2006 joint election - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2063

Item 90: **November 7, 2006 Special Election**

A resolution authorizing the Mayor to appoint an Ad Hoc City Council canvassing committee to review the returns of the November 7, 2006 special election, and submit a canvass report to the full City Council on Wednesday, November 15, 2006 - Financing: No cost consideration to the City

The Mayor announced the following Councilmembers will serve as chair and members of the Ad Hoc City Council canvassing committee to review the returns of the November 7, 2006 special election:

Councilmember Chaney, chair
Councilmember Rasansky
Councilmember Salazar
Councilmember Oakley

Councilmember Thornton-Reese moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2064

Item 91: An ordinance granting an MF-2(A) Multifamily District on the northeast side of Maple Avenue, northwest of Kimsey Drive, and a resolution accepting deed restrictions volunteered by the applicant and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant - Z045-257(JH) - Financing: No cost consideration to the City

Councilmember Medrano moved to approve the resolution and pass the ordinance with the following changes:

“Approve the ordinance and accept the deed restrictions. The avigation easement is not accepted.”

Motion seconded by Councilmember Blaydes and unanimously approved.

Assigned ORDINACE NO. 26422

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2065

Item 92: 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., and ~~FC Merc Lessee Complex, LLC~~ FC Lessee (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

Corrected on the addendum to the agenda.

Councilmember Natinsky moved to approved the item with the following changes:

1. Delete the "event area" provision and replace it with a direct payment of \$200,000 from FC Merc to the City as consideration for the amendment. Such direct payment to be paid to the City in two installments: \$100,000 by December 31, 2006, and \$100,000 by December 31, 2007. (Such funding will be used by the City to support the Main Street District Initiative Retail Grant Program and other downtown initiative to promote economic development within the Downtown area as deemed appropriate by the City Council.)
2. Provide that the Ground Lease Parcel is included in the Mercantile Block Project for purposes of the Development Agreement with FC Merc so that the profit participation provisions of the Development Agreement apply to the Ground Lease Parcel.
3. Provide that no retail initiative grants will be committed for future retailers in the Mercantile Block, Continental Building and Atmos Complex without future Council approval.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2066

Addendum addition 1: Authorize (1) a contract for the construction of the southern portion of the 1608 Main Street Pedestrianway with Nedderman and Associates, Inc., lowest responsible bidder of two; and (2) assignment of the contract to Main Street Investors, J.V. for construction management - Not to exceed \$476,700 - Financing: 2003 Bond Funds (\$465,500), and City Center TIF District Funds (\$11,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2067

Addendum addition 2: An ordinance abandoning an alley to SNK Dallas Uptown, LP, the abutting owner, containing approximately 5,191 square feet of land located near the intersection of Routh Street and McKinney Avenue, and authorizing the quitclaim - Revenue: \$330,926 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2068

Addendum addition 3: A resolution declaring 2 tracts of City-owned land unwanted and unneeded containing a total of approximately 83,478 square feet located at the intersection of Live Oak and Cantegral Streets and authorize their advertisement for sale or exchange by sealed bid with a minimum bid requirement of \$2,504,340 - Financing: No cost consideration to the City

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

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

Mayor Miller stated the item would be considered during executive session in accordance with Section 551.072 of the Texas Open Meetings Act.

Later in the meeting, Councilmember Griffith moved to defer the item until the August 23, 2006 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky.

After further discussion, Mayor Pro Tem Hill called for a vote on the motion.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2069

Addendum addition 4: A resolution authorizing the conveyance of a pipeline easement with a temporary construction easement to Atmos Energy Corporation containing approximately 48,931 square feet of land for the construction and maintenance of gas pipeline facilities at the East Side Water Treatment Plant located near the intersection of Larkin Road and Berry Drive
- Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2070

Addendum addition 5: Authorize a first amendment to the lease agreement with the State Fair of Texas for Phase I improvements to the Cotton Bowl - Estimated revenue foregone: \$13,900,000 over the next thirteen years

Councilmember Rasansky 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 Councilmember Rasansky's request.

Later in the meeting addendum addition consent agenda item 5 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously approved. (Rasansky absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2071

Addendum addition 6: Ratify an increase in the contract with Gibson & Associates, Inc., to provide for the emergency repairs of an existing failed roadway section located on the up ramp from the lower level baggage drop-off area of the main terminal building at Dallas Love Field, in the interest of public safety - Not to exceed \$76,380, from \$2,231,939 to \$2,308,319 - Financing: Aviation Capital Construction Funds (\$19,095), Federal Aviation Administration Airport Improvement Grant Funds (\$57,285)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2072

Addendum addition 7: Authorize (1) the establishment of the City of Dallas Design District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Design District TIF District, (2) a development agreement with TCF Interests Partnership, LTD to implement the Project Plan in an amount not to exceed \$4,402,000, plus a grant in lieu of interest, payable from future Design District TIF District funds in consideration of TCF Interests Partnership, LTD's development of a mixed-use project on 3.7 acres of land located in the 1500 block of Turtle Creek Boulevard at Oak Lawn Avenue and Hi Line Drive in the Design District TIF District; and (3) the Design District TIF District Board of Directors to dedicate up to \$4,402,000, plus a grant in lieu of interest, from Design District TIF revenues in accordance with the development agreement - \$4,402,000 - Financing: Design District TIF District Funds

Councilmember Rasansky requested that addendum addition consent agenda item 7 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 7 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 7 was brought up for consideration.

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

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Koop and unanimously approved. (Oakley abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2073

Addendum addition 8: A resolution declaring the intent of the Design District TIF District to reimburse TCF Interests Partnership, LTD for eligible expenditures pursuant to the development agreement with TCF Interests Partnership, LTD in an amount not to exceed \$4,402,000, plus a grant in lieu of interest, for certain public improvements related to the development of a mixed-use project on 3.7 acres of land located in the 1500 block of Turtle Creek Boulevard at Oak Lawn Avenue and Hi Line Drive in the Design District TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2074

Addendum addition 9: Authorize (1) adoption of the FY 2005-06 Consolidated Plan Reprogramming Budget #2 for U.S. Department of Housing and Urban Development Grant Funds to reallocate \$185,000 from FY 2004-05 and \$515,000 from FY 2005-06 HOME Investment Partnership Program Funds to a HOME CHDO Set-aside Development Fund account; and (2) a public hearing to be held on September 13, 2006 to receive comments on the proposed changes to the FY 2005-06 Consolidated Plan Budget for U. S. Department of Housing and Urban Development HOME Funds - Total not to exceed \$700,000 - Financing: 2004-05 HOME Investment Partnership Program Funds (\$185,000); 2005-06 HOME Investment Partnership Program Funds (\$515,000)

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Koop and unanimously approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 9, 2006

06-2082

Executive Session

Attorney Briefing (Sec. 551.072 T.O.M.A.)

At 12:28 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 Briefing

- Addendum Addition Agenda Item #3, A resolution declaring 2 tracts of City-owned land unwanted and unneeded containing a total of approximately 83,478 square feet located at the intersection of Live Oak and Cantegral Streets

The Mayor reconvened the city council after the closed session at 1:51 p.m. No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 9, 2006

EXHIBIT C