

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 23, 2006

06-2180

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

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

ABSENT: [1] Fantroy

The meeting was called to order at 9:26 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.

Tawana Gant, Kimball 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 4:56 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 23, 2006

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 23, 2006

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2181

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: Ron Price, 3622 Jamacia
SUBJECT: City Ordinances

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Civil rights violation

SPEAKER: Dwayne Caraway, 1934 Arayle Ave.
SUBJECT: Open

SPEAKER: Ronald Wright, 3819 Tolbert
SUBJECT: The formerly incarcerated

SPEAKER: Kevin Felder, 8404 Capriola
SUBJECT: Policies, Housing, Economic Development & Budget

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

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

AUGUST 23, 2006

06-2182

Item 1: Approval of Minutes of the August 9, 2006 City Council Meeting

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2183

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-55 and addendum addition consent agenda items 1-25, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 34 and 35 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 12, 20, 26, 30, 34, 37, 46, 52 and addendum addition consent agenda items 2, 7, 10, 11, and 25 be considered as individual items. Mayor Miller stated that consent agenda items 12, 20, 26, 30, 37, 46, 52 and addendum addition consent agenda items 2, 7, 10, 11, and 25 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 12, 20, 26, 30, 34, 35, 37, 46, 52, and addendum addition consent agenda items 2, 7, 10, 11 and 25 which would be considered later in the meeting.

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

Later in the meeting, Mayor Miller announced that Councilmember Chaney had a conflict of interest on addendum addition consent agenda item 5 previously approved by the City Council along with the consent agenda and addendum addition consent agenda.

Councilmember Rasansky moved to reconsider the previous vote on Councilmember Oakley's motion to approve all items on the consent agenda with the exception of consent agenda items 12, 20, 26, 30, 34, 35, 37, 46, 52, and addendum addition consent agenda items 2, 7, 10, 11 and 25 due to Councilmember Chaney's conflict of interest on addendum addition consent item 5, which was previously approved by the City Council.

Motion seconded by Councilmember Natinsky.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2183

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After discussion, Mayor Miller called the vote on Councilmember Rasansky's motion to reconsider Councilmember Oakley's motion to approve all items on the consent agenda with the exception of consent agenda items 12, 20, 26, 30, 34, 35, 37, 46, 52, and addendum addition consent agenda items 2, 7, 10, 11 and 25 due to Councilmember Chaney's conflict of interest on addendum addition consent agenda item 5 which was previously approved by the City Council.

Mayor Miller declared the motion to reconsider was adopted and that a motion to approve all items on the consent agenda and the addendum addition consent agenda was before the council for reconsideration. (Fantroy absent)

Mayor Miller restated stated that consent agenda items 12, 20, 26, 30, 34, 37, 46, 52 and addendum addition consent agenda items 2, 7, 10, 11, and 25 previously read into the record by the City Secretary be considered as individual items later in the meeting.

In addition, Councilmember Chaney 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 Councilmember Chaney's request.

Councilmember Rasansky moved to approve all items on the consent agenda with the exception of consent agenda items 12, 20, 26, 30, 34, 35, 37, 46, 52, and addendum addition consent agenda items 2, 5, 7, 10, 11 and 25 which would be considered later in the meeting.

Motion seconded by Councilmember Natinsky and unanimously approved (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2184

- Item 2: Authorize a professional services contract with GSR Andrade Architects, Inc. for surveying, schematic design, design development, construction documents, bidding and construction administration services for the pavilion renovation, concrete trail, site furnishings, new shelter enclosure for two portable toilets, site lighting, new seating trellis, grading the existing soccer fields and Americans with Disabilities Act compliant drinking fountains at Cole Park located at 4000 McKinney Avenue - \$77,300 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2185

Item 3: Authorize a professional services contract with Arredondo, Zepeda & Brunz, Inc., to provide engineering design services for the replacement or rehabilitation of water and wastewater mains at 30 locations (list attached) - \$1,049,172 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2186

Item 4: Authorize a contract with Helmick + Schechter, Inc. to fabricate and install an interior kinetic sculpture at the South Central Police Station located at 1999 E. Camp Wisdom Road - Not to exceed \$137,262 - Financing: 1998 Bond Funds (\$1,849); 2003 Bond Funds (\$135,413)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2187

Item 5: Authorize a contract for furniture, furnishings and equipment for the new Timberglen Branch Library located at 18505 Midway Road - Libra-Tech Corporation, lowest responsible bidder of four - \$142,979 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2188

Item 6: Authorize a contract for the construction of a 108-inch raw water transmission line near County Road 1395 in Van Zandt County, to the Iron Bridge Pump Station site in Hunt County from Lake Fork to Lake Tawakoni - Oscar Renda Contracting, Inc., lowest responsible bidder of two - \$31,814,686 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2189

Item 7: Authorize a contract for the construction of water and wastewater main replacements and rehabilitation at 14 locations (list attached) - SYB Construction Company, Inc., lowest responsible bidder of three - \$3,840,020 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2190

Item 8: Authorize a contract for the construction of water and wastewater main replacements and rehabilitation at 38 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of five - \$10,467,802 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2191

Item 9: Authorize a contract for the construction of water and wastewater main replacements at 12 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of three - \$3,888,722 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2192

Item 10: Authorize an increase in the contract with SYB Construction Company, Inc. for the reconstruction of street paving, water and wastewater main improvements for Street Group 03-602, for additional quantities of concrete removal resulting from unknown site conditions, and the installation of sidewalks and barrier free ramps due to a plan revision of the water mains (list attached) - \$36,616, from \$621,744 to \$658,360 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2193

Item 11: Authorize Supplemental Agreement No. 6 to the contract with APM & Associates, Inc., for the design of water and wastewater utility upgrades to provide additional service to the South Central Addition and design services to revise the drainage outfall to discharge into Honey Springs Branch Creek, revise the street alignment to preserve several large trees, add the rehabilitation design for the Carbondale box culverts at the Honey Springs Branch and revise the project cost estimate, plans and specifications - Not to exceed \$78,386, from \$535,867 to \$614,253 - Financing: 1995 Bond Funds (\$40,636), Water Utilities Capital Construction Funds (\$37,750)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2194

Item 12: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on SH 289 (Preston Road) from Lloyd Circle to Mapleshade Lane - \$46,535 - Financing: Texas Department of Transportation Grant Funds

Councilmember Rasansky requested that consent agenda item 12 be considered as an individual item. Mayor Miller stated that consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 12 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 Koop moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Rasansky abstain; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2195

Item 13: Authorize the rejection of bids received for the construction of water and wastewater main replacements and rehabilitation at various locations, and the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2196

Item 14: Authorize settlement in lieu of proceeding further with condemnation with Asuda Holdings, LLC, in the amount of ~~\$13,000~~, \$13,600 for a parcel of land containing approximately 1,810 square feet located near the intersection of Rosemeade Parkway and Midway Road for the Congestion Mitigation and Air Quality Intersection Improvement Program - Financing: No cost consideration to the City

Corrected on the addendum to the agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2197

Item 15: Authorize settlement in lieu of proceeding further with condemnation with NCS Realty Company, in the amount of \$3,412, for a parcel of land containing approximately 543 square feet located near the intersection of Rosemeade Parkway and Midway Road for the Congestion Mitigation and Air Quality Intersection Improvement Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2198

Item 16: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land from Century Venture Company for the construction of the Northwest Rail Operating Facility located near the intersection of Abernathy Avenue and Century Street
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2199

Item 17: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 3 tracts of land for the construction of the Northwest Corridor Line Section (NW-1B) located near the intersection of Maple Avenue and Inwood Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2200

Item 18: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 3 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersections of Community and Denton Drives, Fielder Court and Denton Drive and Hawes Avenue and Denton Drive (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2201

Item 19: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land from Edward V. Cullen for the construction of the Southeast Corridor Line Section (SE-2) located near the intersection of Rosemont and Jim Miller Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2202

Item 20: Authorize the sale of approximately 7,853 square feet of unwanted and unneeded City-owned land located near the intersection of Tyler Street and Delaware Avenue to the only bidder, Manuel Ornelas - Revenue: \$18,500

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

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2203

Item 21: Authorize the sale of approximately 6,332 square feet of unwanted and unneeded City-owned land located near the intersection of Tyler Street and Nolte Drive to the highest bidder, Manuel Ornelas - Revenue: \$12,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2204

Item 22: Authorize the sale of approximately 32,229 square feet of unwanted and unneeded City-owned land located near the intersection of Winding Creek Road and Schafer Street to the highest bidder, Naeem Hameed - Revenue: \$136,011

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2205

Item 23: Authorize a thirty-six-month service contract for temporary set-up labor at the Convention Center and Reunion Arena, with the lowest responsible bidder of three - Tolman Building Maintenance, Inc. - Not to exceed \$2,224,185 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2206

Item 24: Authorize a thirty-six-month service contract for radio tower repair services with the only bidder - AmChel Communications, Inc. - Not to exceed \$200,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2207

Item 25: Authorize the purchase of heavy rescue extrication equipment from Metro Fire Apparatus Specialists, Inc. - Sole Source - Not to exceed \$168,263 - Financing: 2005 Assistance to Firefighters Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2208

Item 26: Authorize a thirty-six-month master agreement for chemicals to treat swimming pools, fountains and water filters with the lowest responsible bidders of three - Sunbelt Pools, Inc. in the amount of \$296,853, and DCC, Inc. in the amount of \$42,941 - Total not to exceed \$339,794 - Financing: Current Funds (\$268,698), Water Utilities Current Funds (\$71,096)

Councilmember Rasansky requested that consent agenda item 26 be considered as an individual item. Mayor Miller stated that consent agenda item 26 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 26 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2209

Item 27: Authorize a twelve-month master agreement for ferrous sulfate with the lowest responsible bidder of two - Pencco, Inc. - Not to exceed \$2,192,134 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2210

Item 28: Authorize Supplemental Agreement No. 1 to the professional services contract with the accounting firm of Lightfoot Guest Moore & Co., P.C., for additional expert litigation support services, including consultation, document review, deposition, and testimony in the lawsuit styled AHF Community Development LLC v. City of Dallas et al., Civil Action No. 3:06-CV-01035 - Not to exceed \$55,000, from \$25,000 to \$80,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2211

Item 29: Authorize the release of the City's demolition and civil penalty liens on properties with single-family structures subject to adverse orders issued by the Urban Rehabilitation Standards Board between January 1, 1991 and December 31, 1997, and to take related actions to comply with the Agreed Final Judgment entered in a class action lawsuit styled Sheffield Bell et al. v. City of Dallas, Civil Action No. 3:95-CV-00383-R - \$55,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2212

Item 30: Authorize a fixed payment in lieu of payment for actual non-residential moving and related expenses for Edward Kahn, dba Edward Kahn Textiles, which was displaced as a direct result of the real property acquisition of the property at 3131 N. Stemmons Freeway, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds

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

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

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2213

Item 31: Authorize a fixed payment in lieu of payment for actual non-residential moving and related expenses for Nell W. Finch, dba Finch Hotshot Delivery, which was displaced as a direct result of real property acquisition of the property at 3131 N. Stemmons Freeway, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2214

Item 32: An ordinance authorizing a correction to Ordinance No. 26383 for a Planned Development District for MU-3 Mixed Use District Uses on both sides of Motor Street, southwest of Harry Hines Boulevard to correct the property description - Z034-166 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26423.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2215

Item 33: An ordinance waiving the City of Dallas' extraterritorial jurisdiction in favor of the City of Irving on 0.16799 square miles of property located on the west bank of the Elm Fork of the Trinity River between Wildwood/Tom Braniff Drive and Loop 12 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26424.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2216

Item 34: Authorize **(1)** a development agreement with GWTH, LP to provide funding for the design, engineering, professional services, and construction of public improvements for the Greenwood Town Homes in Tax Increment Financing Reinvestment Zone Number One (State-Thomas TIF District); and **(2)** the State-Thomas TIF District Board of Directors to dedicate up to \$237,000 from State-Thomas TIF revenues in accordance with the development agreement - \$237,000 - Financing: State-Thomas TIF District Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2217

Item 35: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number One (State-Thomas TIF District) to reimburse GWTH, LP up to \$237,000 for certain TIF-eligible project costs related to the development of the Greenwood Town Homes, in the State-Thomas TIF District - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2218

Item 36: Authorize a twelve-month contract, with two twelve-month renewal options, with Phoenix Houses of Texas, Inc. for residential substance abuse services for low-income medically indigent adolescents for the period October 1, 2006 through September 30, 2007 - Not to exceed \$76,560 - Financing: 2006-07 Community Development Grant Funds (\$65,000) and Current Funds (\$11,560) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2219

Item 37: Authorize a twelve-month contract, with two twelve-month renewal options, with Nexus Recovery Center, Inc. to provide residential substance abuse treatment services for low-income uninsured adult females for the period October 1, 2006 through September 30, 2007 - Not to exceed \$63,840 - Financing: Current Funds (subject to appropriations)

Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 37 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2220

Item 38: Authorize a twelve-month contract, with two twelve-month renewal options, with Homeward Bound, Inc. to provide residential substance abuse treatment services for low-income medically indigent adults for the period October 1, 2006 through September 30, 2007 - Not to exceed \$194,600 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2221

Item 39: Authorize exercise of the first twelve-month renewal option to the contract with Phoenix Houses of Texas, Inc. for outpatient substance abuse treatment services for low-income medically indigent adolescents for the period October 1, 2006 through September 30, 2007 - Not to exceed \$75,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2222

Item 40: Authorize exercise of the second twelve-month renewal option to the contract with Resource Center of Dallas, Inc. to provide a citywide HIV/AIDS education, outreach, and prevention program targeting primarily high-risk Hispanic populations for the period October 1, 2006 through September 30, 2007 - Not to exceed \$59,452 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2223

Item 41: Authorize a twelve-month contract, with two twelve-month renewal options, with The Bethlehem Foundation to provide a family stabilization program to address the problems of economically disadvantaged persons in the southern sector of Dallas for the period October 1, 2006 through September 30, 2007 - Not to exceed \$65,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2224

Item 42: Authorize **(1)** the acceptance of a Transitional Housing Grant in the amount of \$250,598 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for single homeless persons for the period October 1, 2006 through September 30, 2007, **(2)** a local match in an amount not to exceed \$15,866; and **(3)** execution of the grant agreement - Total not to exceed \$266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$250,598) and Current Funds (\$15,866) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2225

Item 43: Authorize the acceptance of a grant from the Department of State Health Services for the continuation of community and rural health services for the period September 1, 2006 through August 31, 2007 - Not to exceed \$196,600
- Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2226

Item 44: Authorize **(1)** the acceptance of a Transitional Housing Grant in the amount of \$149,913 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2006 through November 30, 2007, **(2)** a local match in an amount not to exceed \$9,978, and **(3)** execution of the grant agreement - Total not to exceed \$159,891 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$149,913) and Current Funds (\$9,978) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2227

Item 45: Authorize a contract with Community Dental Care for the continuation of dental health services to low-income children through age 19 and persons over age 60 for the period October 1, 2006 through September 30, 2007 - Not to exceed \$675,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2228

Item 46: Authorize a contract with the Martin Luther King, Jr. Family Clinic to provide pediatric health care services to low-income children for the period October 1, 2006 through September 30, 2007 - Not to exceed \$62,000 - Financing: Current Funds (subject to appropriations)

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Miller stated that consent agenda item 46 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 46 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2229

Item 47: Authorize an Interlocal Agreement with Dallas County Health and Human Services Department for the continuation of the AIDS Investigation Program for the period October 1, 2006 through September 30, 2007 - Not to exceed \$44,484 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2230

Item 48: Authorize an Interlocal Agreement with University of Texas Southwestern Medical Center at Dallas for the continuation of a Minority AIDS Outreach Program for the period October 1, 2006 through September 30, 2007 - Not to exceed \$58,500 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2231

Item 49: Authorize a professional services contract with Temporary Medical Staffing, Inc., to provide a phlebotomist to obtain blood specimens for lead screening for residents of the City of Dallas for the period October 1, 2006 through September 30, 2007 - Not to exceed \$54,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2232

Item 50: Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2006 through August 31, 2007 - Not to exceed \$413,078 - Financing: Current Funds (\$378,655 subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2233

Item 51: Authorize the acceptance of a 2005 Buffer Zone Protection Program grant from the U.S. Department of Homeland Security, through its agent, the Governor's Division of Emergency Management, to be used for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City of Dallas for the period April 1, 2005 through January 31, 2007 - Not to exceed \$748,760 - Financing: U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2234

Item 52: Authorize a nineteen-year development and use agreement, with two ten-year renewal options, with White Rock Boathouse, Inc. for the renovation, operations and maintenance of the Dallas Water Utilities Filter Building, Utility Building, sedimentation basins and surrounding grounds - Estimated Revenue: \$14,000

Councilmember Rasansky requested that consent agenda item 52 be considered as an individual item. Mayor Miller stated that consent agenda item 52 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 52 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 Thornton-Reese.

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 Natinsky voting "No". (Rasansky abstain; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2235

Item 53: Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/14 grant from the Texas Automobile Theft Prevention Authority in the amount of \$484,994 to provide a specialized proactive automobile theft program, for the period September 1, 2006 through August 31, 2007, **(2)** a local match in the amount of \$72,180, **(3)** In-Kind contributions in the amount of \$485,000, and **(4)** execution of the grant agreement - Total not to exceed \$1,042,174 - Financing: Texas Automobile Theft Prevention Authority Grant Funds (\$484,994), In-Kind Contributions (\$485,000) and Current Funds (\$72,180) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2236

Item 54: Authorize **(1)** the acceptance of the Dallas Police Department Victim Services/6 grant from the Office of the Governor, Criminal Justice Division in the amount of \$49,400 to adequately respond to victims of violent crime with needed aid, for the period July 1, 2006 through June 30, 2007, **(2)** a local match in the amount of \$12,350, **(3)** and execution of the grant agreement - Total not to exceed \$61,750 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$49,400) and Current Funds (\$12,350) (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2237

Item 55: Authorize a one-year microfilm services contract with the United States National Archives and Records Administration (NARA) - Fort Worth Branch to microfilm essential and permanent city records in accordance with permanent preservation standards established by state law - Not to exceed \$69,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2238

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 56-70 were presented for consideration.

Agenda items 56, 58, and 61 were removed from the consent zoning docket, to be considered as individual hearings. City Secretary announced agenda item 60 was deleted on the addendum.

~~Agenda item 56: Zoning Case Z045-254 (RB)~~ [Considered individually]
Agenda item 57: Zoning Case Z056-104 (RB)
~~Agenda item 58: Zoning Case Z056-211 (RB)~~ [Considered individually]
Agenda item 59: Zoning Case Z056-228 (RB)
~~Agenda item 60: Zoning Case Z056-264 (RB)~~ [Deleted on the addendum]
~~Agenda item 61: Zoning Case Z056-255 (WE)~~ [Considered individually]
Agenda item 62: Zoning Case Z056-256 (WE)
Agenda item 63: Zoning Case Z056-258 (WE)
Agenda item 64: Zoning Case Z056-261 (JH)
Agenda item 65: Zoning Case Z056-217 (FD)
Agenda item 66: Zoning Case Z056-262 (OTH)
Agenda item 67: Zoning Case Z056-247 (RB)

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 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 Deputy Mayor Pro Tem Garcia and unanimously adopted. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2239

Item 56: Zoning Case Z045-254 (RB)

The consent zoning docket, consisting of agenda items 56-67, were presented.

Councilmember Rasansky and Councilmember Koop 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 Councilmember Rasansky and Councilmember Koop's request.

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

A public hearing was called on zoning case Z045-254 (RB), an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned as Planned Development District No. 29 for Retail and Multiple Family Uses on the northwest corner of Walnut Hill Lane and North Central Expressway

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

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

Councilmember Koop moved to hold under advisement until the September 13, 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. (Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2240

Item 57: Zoning Case Z056-104 (RB)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-104 (RB), an application for and an ordinance granting an amendment to the development plan, conceptual plan, and conditions for Planned Development District No. 334 for HC Heavy Commercial Subdistrict Uses as provided for in Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by Pearl Street, McKinney Avenue, Olive Street, and Cedar Springs Road

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26425.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2241

Item 58: Zoning Case Z056-211 (RB)

The consent zoning docket, consisting of agenda items 56-67, were presented.

Councilmember Salazar requested that consent agenda item 58 be considered as an individual item. Mayor Miller stated that consent agenda item 58 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Later in the meeting agenda item 58 was brought up for consideration.

A public hearing was called on zoning case Z056-211 (RB), an application for and an ordinance granting an amendment to the conceptual plan, development plan, and conditions for Planned Development District No. 391 for IM Industrial Manufacturing District Uses and an Industrial (inside) potentially incompatible use for a foundry on the northeast and southeast corners of Joe Field Road and Newkirk Street

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

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

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

Robert, Reeves, 900 Jackson St., representing the applicant

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

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

Assigned ORDINANCE NO. 26426.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2242

Item 59: Zoning Case Z056-228 (RB)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-228 (RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1552 for a Hotel and motel use on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Maple Avenue and Mahon Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26427.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2243

Item 60: Zoning Case Z056-264 (RB)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-264 (RB), an application for and an ordinance granting a Specific Use Permit for a Private school on property zoned an R-16(A) Single Family District on the southwest corner of Belt Line Road and Emeraldwood Drive

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2244

Item 61: Zoning Case Z056-255 (WE)

The consent zoning docket, consisting of agenda items 56-67 were presented.

Councilmember Medrano requested that consent agenda item 61 be considered as an individual item. Mayor Miller stated that consent agenda item 61 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Later in the meeting agenda item 61 was brought up for consideration.

A public hearing was called on zoning case Z056-255 (WE), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District on the southwest line of Maple Avenue, northwest of Motor Street and a resolution accepting deed restrictions volunteered by the applicant

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

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

Printice Gary, 16304 Ranchita

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

Karl Crawley, 900 Jackston St. , representing the applicant

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2245

Item 62: Zoning Case Z056-256 (WE)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-256 (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 a CA-1(A) Central Area District on the east line of North Lamar Street, between Munger Avenue and McKinney Avenue

(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)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26428.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2246

Item 63: Zoning Case Z056-258 (WE)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-258 (WE), an application for and an ordinance granting an amendment to reduce the parking requirements within Planned Development District No. 608 for townhome and private streets on the south line of Churchill Way, east of Hughes Lane

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26429.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2247

Item 64: Zoning Case Z056-261 (JH)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-261 (JH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned Subarea 3A within Planned Development District No. 317, the Cedars Special Purpose District, on the northeast side of Cockrell Avenue, east of Alexander Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26430.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2248

Item 65: Zoning Case Z056-217(FD)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-217 (FD), an application for and an ordinance granting a renewal of Specific Use Permit No. 1158 for a Child-care facility on property zoned an R-7.5(A) Single Family District on the southwest corner of Kirnwood Drive and Racine Drive

(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)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26431.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2249

Item 66: Zoning Case Z056-262 (OTH)

The consent zoning docket, consisting of agenda items 56-67, were presented.

A public hearing was called on zoning case Z056-262 (OTH), an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an MF-1(A) Multifamily District on the southeast corner of Fitzhugh Avenue and Homer Street

(The city plan commission recommended approval)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26432.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2250

Item 67: Zoning Case Z056-247(RB)

The consent zoning docket, consisting of agenda items 56-67, was presented.

A public hearing was called on zoning case Z056-247 (RB), an application for and an ordinance granting a Planned Development District for RR Regional Retail District Uses on property zoned an RR Regional Retail District and the Tract 1A portion of Planned Development District No. 598 on property generally bounded by Cliff Creek Crossing, Hampton Road, Wheatland Road, IH 20, and Bainbridge Drive

(The city plan commission recommended approval, subject to a Tract 2 conceptual plan, Tract 1A development plan, landscape plan, signage elevation, and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26433.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2251

Item 68: Zoning Case Z056-245(JH) INDIVIDUAL

A public hearing was called on zoning case Z056-245(JH), an application for and an ordinance granting a P (A) Parking District on property zoned an R-5(A) Single Family District on the north side of Pueblo Street, east of Norwich Street

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

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

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

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

Assigned ORDINANCE NO. 26434.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2252

Item 69: Zoning Case Z056-249(RB) INDIVIDUAL

A public hearing was called on zoning case Z056-249 (RB), an application for a Specific Use Permit for a Mini-warehouse on property zoned an RR Regional Retail District with a Dry Liquor Control Overlay on the eastern portion of the property, northeast of the northeast corner of Marvin D. Love Freeway and Polk Street

(The city plan commission recommended denial)

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

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

Micheal Russell, 6223 Copperhill Dr., the applicant
Jesus DeLaRosa, 1611 Riverway Bend Circle
Kurt L. Hudspeth, 2305 Custer Road, **McKinney, Tx.**

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

Micheal Davis, 6010 S. Westmoreland Road
Charles C. Martin, Sr. 716 Meandering Dr., **Cedar Hill, Tx.** Representing Union Missionary Baptist Church
Don Davis, 8004 West Virginia Dr., representing God's Holy Temple
E. Edward Okpa, 14403 Overview Circle, representing land owner
Wayne Ray, 18 Oak Forrest Cr., **Denton, Tx.** representing Tyler St. Self storage
Henry Schroeder, 635 Fawn Ridge Drive, representing Oak Cliff Community
Evelyn Schroeder, 635 Fawn Ridge Drive, representing Oak Cliff Community
Vicky Malloy, 11700 Audelia

Councilmember Oakley moved to close the public hearing and accept the recommendation of the city plan commission to deny.

Motion seconded by Deputy Mayor Pro Tem Garcia.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2252

Page 2

After discussion, Mayor Miller called the vote on Councilmember Oakley's motion to accept the city plan commission's recommendation to deny:

Voting Yes: [13] Miller, Hill, Garcia, Medrano, Oakley, Thornton-Reese,
Salazar, Chaney, Griffith, Koop, Natinsky, Rasansky,
Hunt

Voting No: [0]

Abstain: [1] Blaydes

Absent: [1] Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2253

Item 70: Zoning Case Z056-157 (RB)

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2254

Item 71: 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 Medrano moved to closed the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2255

Item 72: Public Hearing - FY 2006-07 Operating, Capital, Grant and Trust budgets

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

The following individuals addressed the city council regarding the item.

Mary Brooks-Stewart, 1215 Skiles
Nancy Bingham, 2834 Vacherie Lane
Sharon King, 116 Westshore Dr. **Richardson, Tx.**

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2256

Item 73: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2005-2007 board term updated through August 23, 2006.

The city secretary noted that the report indicated nominees and re-nominees for individual and full council appointments cleared for council action that met all qualifications for service.

Councilmember Medrano moved to appoint Carol Barnett Davis, to the Cultural Affairs Commission, interested citizen and Frank H. Pounders to the Senior Affairs Commission.

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

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

06-2291 CAC CULTURAL AFFAIRS COMMISSION
06-2292 SAC SENIOR AFFAIRS COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2257

Item 74: Authorize a second amendment to the Land Bank Interlocal Cooperation Contract between the City of Dallas, Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District that allows the City to refer up to an additional 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2258

Item 75: Authorize approval of the 2006-07 Dallas-Fort Worth International Airport Board Annual Budget - Financing: No cost consideration to the City

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Blaydes abstain; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2259

Item 76: Authorize **(1)** the acceptance and deposit of funds from the Dallas Independent School District in the amount of \$324,475, for reimbursement of material and labor for the installation of crosswalk markings, signs, and flasher assemblies at twelve new schools (list attached); and **(2)** an increase in appropriations in the amount of \$324,475 in the Capital Projects Reimbursement Funds - Total not to exceed \$324,475 - Financing: Capital Projects Reimbursement Funds

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2260

Item 77: 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

The following individual addressed the city council regarding the item:

Jim Rogers, 3208 Trevolle Place

Councilmember Natinsky moved to amend the resolution and authorize the advertisement for sale or exchange of two tracts of city owned land at the intersection of Live Oak and Cantegral Streets by sealed bid with a minimum bid requirement of \$40/square foot or a total of \$3,339,120.00.

Motion seconded by Councilmember Hunt.

Councilmember Blaydes moved to substitute the wording in the amended resolution and add language to make sure the council is not dealing with a development in the area that is more than four stories over the entire development, to be included as part of the bid response.

Councilmember Blayde's motion to substitute for Councilmember's Natinsky's motion died for lack of second.

After discussion, Mayor Pro Tem Hill called for the vote on Councilmember's Natinsky motion to amend the resolution.

Mayor Pro Tem Hill declared the motion adopted. (Miller, Thornton-Reese, Salazar absent when vote was taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2261

Closed Session [**06-2261**]

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

- City of Dallas v. Don Blanton, et al., Appeal No. 05-05-00736-CV
- Legal issues involving the Dallas/Fort Worth International Airport oil and gas lease between the cities of Dallas and Fort Worth and Chesapeake Exploration Limited Partnership
- Legal issues related to the City's continuing compliance with subpoena duces tecum dated July 29, 2005, and related process

At 1:02 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.)

- City of Dallas v. Don Blanton, et al., Appeal No. 05-05-00736-CV
- Legal issues involving the Dallas/Fort Worth International Airport oil and gas lease between the cities of Dallas and Fort Worth and Chesapeake Exploration Limited Partnership
- Legal issues related to the City's continuing compliance with subpoena duces tecum dated July 29, 2005, and related process

Mayor Pro Tem Hill reconvened the city council after the closed session at 2:07 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2262

Addendum addition 1: Authorize a contract for the renovation of the Police Quartermaster located at 1600 South Lamar - Reeves Construction Services, Inc., lowest responsible bidder of four - \$1,283,994 - Financing: 1998 Bonds Funds (\$679,971), Current Funds (\$604,023)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2263

Addendum addition 2: Authorize (1) an increase in the contract with ARC Abatement I Ltd. for selective demolition and environmental remediation at 1530 Main Street, in an amount not to exceed \$50,256, from \$462,529 to \$512,785; (2) an increase in the contract with Centex Construction, LLC for demolition and window replacement at 1530 Main Street, in an amount not to exceed \$50,879, from \$740,000 to \$790,879; (3) an increase in the contract with Centex Construction, LLC for foundation and vault construction at 1524 Main Street, in an amount not to exceed \$189,223, from \$761,477 to \$950,700; (4) an increase in the contract with Centex Construction, LLC for tower crane and personnel/material hoist at 1524 Main Street, in an amount not to exceed \$82,343, from \$585,000 to \$667,343; (5) an increase in the contract with Centex Construction, LLC for exterior restoration and shell construction at 1530 and 1524 Main Street in an amount not to exceed \$895,802, from \$6,510,000 to \$7,405,802; (6) assignment of the contracts to Dunhill 1530 Main LP for construction management; (7) an increase in appropriations in the amount of \$566,713 in the City Center TIF District Fund, and (8) a decrease in payment to TIF Hotel, Inc. in an amount not to exceed (\$701,790) for design, reimbursables and construction management - Total not to exceed \$566,713 - Financing: City Center TIF District Funds

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

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

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2264

Addendum addition 3: Authorize exercise of the right of eminent domain for the acquisition of a tract of land from Betty J. Culbreath containing a total of approximately 784 square feet located near the intersection of Ervay Street and South Boulevard for the Street Group 03-601 Project - \$500 - Financing: 2003 Bond Funds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2265

Addendum addition 4: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Northwest Corridor Line Section (NW-3) located near the intersections of Walnut Hill Lane and Denton Drive and Royal Lane and Denton Drive (list attached) - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2266

Addendum addition 5: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 5 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Trunk Avenue and Harmon Street, Trunk and McDemott Avenues, Scyene Road and 1st Avenue, and Hatcher and Racell Streets (list attached) - Financing: No cost consideration to the City

Councilmember Chaney 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 Chaney's request.

Later in the meeting addendum addition agenda item 5 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 Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2267

Addendum addition 6: A resolution authorizing the conveyance of a City-owned tract of land containing approximately 9,352 square feet and a slope easement containing approximately 13,264 square feet of land to the City of Carrollton located at the East Fork Water Treatment Plant near the intersection of Old Denton Road and Whitlock Lane - Revenue: \$36,933

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2268

Addendum addition 7: Authorize a thirty-six-month service contract for telecommunications services to support the operation of the administrative offices, and the needs of concessionaires and promoters hosting events at Reunion Arena, with XO One, Inc., through the Texas Building and Procurement Commission for the Catalog Information System Vendor cooperative purchasing program - Not to exceed \$150,000 - Financing: Convention and Event Services Current Funds (subject to appropriations)

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 agenda item 7 was brought up for consideration.

Councilmember Rasansky moved to deny approval of the item and recommend the item to be refer to the Economic Development and Housing Committee.

Motion died due to lack of second.

Councilmember Koop moved to approve the item and instruct the staff to bring back information on the direction of Reunion Area.

Motion seconded by Councilmember Griffith.

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Koop's motion:

Voting Yes: [10] Hill, Garcia, Medrano, Oakley, Chaney, Griffith, Blaydes
Koop, Natinsky, Hunt

Voting No: [1] Rasansky

Absent when vote taken: [3] Miller, Thornton-Reese, Salazar

Absent: [1] Fantroy

Mayor Pro Tem Hill declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2269

Addendum addition 8: Authorize **(1)** the purchase of equipment to upgrade the existing building security system at City Hall in the amount of \$501,832, and **(2)** a twenty-four-month service and maintenance agreement in the amount of \$98,140, with the most advantageous proposer of three - Entech Sales and Service, Inc. - Total not to exceed \$599,972 - Financing: Water Utilities Capital Construction Funds (\$30,805), Urban Area Security Initiative Grant Funds (\$125,000), Capital Construction Funds (\$267,200), Current Funds (\$176,967) (\$98,140 subject to annual appropriations)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2270

Addendum addition 9: Authorize **(1)** the purchase and installation of an automated water meter reading system in the Central Business District, Deep Ellum, and South Dallas/Fair Park area in the amount of \$3,705,793, and **(2)** a sixty-month service and maintenance agreement in the amount of \$44,787, with the most advantageous proposer of four - Itron, Inc. - Total not to exceed \$3,750,580 - Financing: 2006 Water Revenue Bonds (\$3,705,793), Water Utilities Current Funds (\$44,787)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2271

Addendum addition 10: Ratify an emergency services contract for roof replacement and asbestos abatement at the Police Property Building located at 1725 Baylor Street - Castro Roofing of Texas, L.P. - \$473,000 - Financing: 2003 Bond Funds

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

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Miller, Thornton-Reese, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2272

Addendum addition 11: Authorize application for and acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible costs for capital improvement projects at Love Field - Not to exceed \$8,100,000 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Councilmember Rasansky requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting addendum addition agenda item 11 was brought up for consideration.

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2273

Addendum addition 12: Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of \$1.83 for each certificate printed for the period September 1, 2006 through August 31, 2008 - Not to exceed \$100,000 annually for a total not to exceed \$200,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2274

Addendum addition 13: Authorize a public hearing to be held on September 13, 2006 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 65 located at the property north of Interstate 20 and east of Mountain Creek Parkway; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 65; and **(2)** a 50 percent real property and a 75 percent business personal property tax abatement for ten years with Nestle Waters North American Inc. - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2275

Addendum addition 14: Authorize an application to the Office of the Governor Economic Development and Tourism, through the Economic Development Bank, nominating Nestle Waters North America Inc. located in Mountain Creek Business Park to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2276

Addendum addition 15: Authorize assignment of the real property tax abatement agreement with John and Diana Volmer and PETSMART, Inc., previously approved on September 23, 1998 by Resolution No. 98-2742, for the store located at 2964 Wheatland Road to W. Bruce Howe, Trustee of the Bruce Howe and Trust - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda..

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2277

Addendum addition 16: Authorize **(1)** a development agreement with La Zona Verde, LLC to provide funding for the design, engineering, professional services, and construction of public improvements for a performing arts venue (Green Zone Performing Arts Center) in Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District); and **(2)** the Design District TIF District Board of Directors to dedicate up to \$217,000 from Design District TIF revenues in accordance with the development agreement - \$217,000 - Financing: Design District TIF District Funds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2278

Addendum addition 17: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eight (Design District TIF District) to reimburse La Zona Verde, LLC up to \$217,000 for certain TIF-eligible project costs related to the development of a performing arts venue (Green Zone Performing Arts Center) in the Design District TIF District - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2279

Addendum addition 18: Authorize **(1)** a development agreement with, INCAP Fund I, L.P. to provide funding for the design, engineering, professional services, and construction of public improvements for the Park Tilden Town Home development, a residential project located at 265 Tilden Street in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and **(2)** the Oak Cliff Gateway TIF District Board of Directors to pledge and dedicate up to \$901,443 from future Oak Cliff Gateway TIF revenues or TIF Bond funds in accordance with the development agreement - \$901,443 - Financing: Oak Cliff Gateway TIF District Funds and/or Tax Increment Bonds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2280

Addendum addition 19: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to fund INCAP Fund I, L.P. up to \$901,443 for certain TIF-eligible project costs related to the development of the Park Tilden residential project located at 265 Tilden Street in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2281

Addendum addition 20: Authorize **(1)** a development agreement with Belclair Realty, LTD to provide funding for the design, engineering, professional services, and construction of public improvements for the Bishop Arts Plaza & Lofts development, a mixed-use project located at 1222 Bishop Avenue in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and **(2)** the Oak Cliff Gateway TIF District Board of Directors to pledge and dedicate up to \$585,000 from future Oak Cliff Gateway TIF revenues or TIF Increment Bonds in accordance with the development agreement - \$585,000 - Financing: Oak Cliff Gateway TIF District Funds and/or Tax Increment Bonds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2282

Addendum addition 21: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to fund Belclair Realty, LTD up to \$585,000 for certain TIF-eligible project costs related to the development of Bishop Arts Plaza & Lofts, a mixed-use project located at 1222 Bishop Avenue in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2283

Addendum addition 22: Authorize Supplemental Agreement No. 4 to the professional services contract with Diversified Utility Consultants, Inc., for additional expert consulting services and testimony in matters related to the statement of intent of TXU Gas Company to change rates in the company's statewide gas utility system, Railroad Commission of Texas Gas Utilities Docket No. 9400 (consolidated), Atmos Energy Corp. Mid-Tex Division's Dallas Show Cause Filing dated November 22, 2005 and Atmos Energy Corporation Statement of Intent to Change Rates in the Atmos Energy Corp., Mid-Tex Division Gas Utility System dated May 31, 2006 - Not to exceed \$175,000, from \$350,000 to \$525,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2284

Addendum addition 23: Authorize a professional services contract with McFadden Consulting Group, Inc. for expert consulting services and testimony in matters related to Atmos Energy Corporation Statement of Intent to Change Rates in the Atmos Energy Corp., Mid-Tex Division Gas Utility System dated May 31, 2006 - Not to exceed \$99,600 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2285

Addendum addition 24: Authorize Supplemental Agreement No. 8 to the professional services contract with PCI Group of Texas, LLC, to provide on-site technical support of the capital project software system, maintenance for the web enhancing software, data transfers from the previous capital project software system and CapPro Interface with the accounting system software AMS Advantage system - \$197,063, from \$2,369,304 to \$2,566,367 - Financing: Current Funds (\$138,423), Aviation Capital Construction Funds (\$29,320), and Wastewater Construction Funds (\$29,320)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2286

Addendum addition 25: Authorize **(1)** exercise of the second twelve-month renewal option to the residential recycling services contract with Community Waste Disposal, Inc. for weekly collection of recyclables in blue bags for the period of October 1, 2006 through September 30, 2007, **(2)** a change in the contract terms to eliminate one tier of unit pricing and to add a clause for termination of contract - Not to exceed \$2,252,971 - Financing: Current Funds (subject to appropriations)

Councilmember Rasansky requested that addendum addition consent agenda item 25 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 25 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 agenda item 25 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Koop.

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, Thornton-Reese, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2287

Addendum addition 26: An ordinance appointing 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2008, and establishing the annual salary for associate municipal judges - Financing: No additional cost consideration to the City

Mayor Miller called a recess of the city council meeting at 11:49 a.m. as authorized by Section 551.074, Personnel Matters, of the Texas Open Meetings Act to deliberate the appointment of the 18 associated (part-time) municipal judges for a term ending May 31, 2008.

The Mayor reconvened the city council after the executive session at 11:59 a.m. No other matters were discussed during the executive session.

Mayor Miller announced that ballots will be used to vote for 18 of the 28 nominees listed on the ballot for associate (part-time) municipal judges for a term ending May 31, 2008.

The City Secretary distributed ballots to the City Councilmembers to vote for 18 of 28 nominees recommended by the Judicial Nominating Commission and the Ad Hoc Legislative Committee for the City of Dallas municipal court of records for a term ending May 31, 2008.

After discussion, Mayor Miller called a recess of the city council meeting at 12:15 p.m. to allow the City Secretary to complete the counting of the ballots for the associate (part-time) municipal judges.

Later in the meeting, Mayor Miller reconvened the city council meeting at 12:55 p.m. to receive the results from the City Secretary of the balloting for associate (part-time) municipal judges.

The City Secretary announced the following results of the balloting for associate (part-time) municipal judges for the City of Dallas Municipal Court of record for a term ending May 31, 2008:

Roland Anderson	13
Melodee Armstrong	2
Steven Autry	12
Raquel Brown	14

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2287

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The City Secretary announced the following results of the balloting for associate (part-time) municipal judges for the City of Dallas Municipal Court of record for a term ending May 31, 2008: (continued)

Don Chae	13
Julie Clancy	14
Daniel Clark	1
Elizabeth Davis Frizell	2
Patricia Davis Hartline	3
Angela Downes	2
Bonnie Goldstein	13
Tim Gonzalez	2
Carl Hays	13
Sara Hewitt	14
Kyle Kneese	8
Christopher Livingston	14
Ruth Catherin Logan	14
Suzanne Marsh	14
John McCully	12
Daniel McDonald	12
Paul McNulty	13
Rachel Morales	1
Victor Ortiz	4
Linda Russell	1
John Skotnik	10
Thomas Stanton	1
Michelle Wong-Krause	12
Tina Yoo	13

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2287

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Councilmember Thornton-Reese moved the following nominees be appointed as associate municipal judges for the City of Dallas Municipal Court of record for a term ending May 31, 2008; that the salary for associated municipal judges with two or more years of judicial experience be (\$47.64) per hour; that the salary for associate municipal judges with less that two years of judicial experience be (\$42.44) per hour; and that this ordinance take effect on August 23, 2006:

Roland Anderson
Steven Autry
Raquel Brown
Don Chae
Julie Clancy
Bonnie Goldstein
Carl Hays
Sara Hewitt
Kyle Kneese
Christopher Livingston
Ruth Catherine Logan
Suzanne Marsh
John McCully
Daniel McDonald
Paul McNulty
John Skotnik
Michelle Wong-Krause
Tina Yoo

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

Assigned ORDINANCE NO. 26435.

“Correction”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2288

Addendum addition 27: An ordinance **(1)** appointing 9 full-time municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2008; **(2)** designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2008; and **(3)** establishing the annual salary for the administrative municipal judge and the full-time municipal judges - Financing: No additional cost consideration to the City

Mayor Miller called a recess of the city council meeting at 11:49 a.m. as authorized by Section 551.074, Personnel Matters, of the Texas Open Meetings Act to deliberate the appointment of 9 full-time municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2008.

Mayor Miller reconvened the city council after the executive session at 11:59 a.m. No other matters were discussed during the executive session.

The following individual addressed the city council regarding the item:

John Washington, 727 So. R. L. Thornton Freeway

Mayor Miller announced that ballots will be used to vote for 9 of the 12 nominees listed on the ballot for full-time municipal judges to preside over the City of Dallas municipal court of records for a term ending May 31, 2008.

The City Secretary distributed ballots to the City Councilmembers to vote for 9 out of 12 nominees recommended by the Judicial Nominating Commission and the Ad Hoc Legislative Committee for the City of Dallas municipal court of records for a term ending May 31, 2008.

After discussion, Mayor Miller called a recess of the city council meeting at 12:15 p.m. to allow the City Secretary to complete the counting of the ballots for the full time judges.

Later in the meeting, Mayor Miller reconvened the city council meeting at 12:55 p.m. to receive the results from the City Secretary of the balloting for full time municipal judges.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2288

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The City Secretary announced the following results of the balloting for full-time municipal judges for the City of Dallas Municipal Court of record for a term ending May 31, 2008:

Michael Acuna	14
Melody Armstrong	5
Phyllis Lister-Brown	13
Carrie Chavez	13
Tim Gonzalez	14
Patricia Diaz-Hartline	11
C. Victor Lander	14
Paul McNulty	0
Jay Robinson	14
John Skotntik	0
Daniel Solis	14
Cheryl Williams	14

Councilmember Thornton-Reese moved the following nominees listed below be appointed as full-time municipal judges for the City of Dallas Municipal Court of record for a term ending May 31, 2008; that Jay Robinson be designated Administrative Judge for the City of Dallas Municipal Court of record for a term ending May 31, 2008; that the salary for the Administrative Judge be (\$107,100.00) per year; that the salary for full-time judges with two or more years of judicial experience be (\$99,214.44) per year; that the salary for full-time judges with less than two years of judicial experience be (\$88,279.88) per year; and that this ordinance take effect on August 23, 2006:

Michael Acuna
Phyllis Lister-Brown
Carrie Chavez
Tim Gonzalez
Patricia Diaz-Hartline
C. Victor Lander
Jay Robinson
Daniel Solis
Cheryl Williams

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

Assigned ORDINANCE NO. 26436.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2289

Addendum addition 28: Authorize a first amendment to the City Attorney Agreement of Appointment with City Attorney Thomas P. Perkins, Jr. to increase his annual base salary from \$199,000 to \$236,000, for a total annual additional cost of \$43,227 - Financing: Current Funds

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky.

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 Councilmembers Griffith and Hunt voting "No". (Miller, Hill, Thornton-Reese, Salazar absent when vote taken; Fantroy absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 23, 2006

06-2290

Addendum addition 29: 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 individual addressed the city council regarding the item:

Hector Ruiz, 10939 Shady Trail
Arturo Ramon, 911 N. Barnett
Michael Cashimere, 225 Glenwood Dr. **Coppell, TX.**

Councilmember Rasansky moved to approve the item.

Motion died for lack of second.

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

Motion seconded by Councilmember Natinsky.

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Rasansky's motion:

Voting Yes: [7] Hill, Oakley, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No: [5] Garcia, Medrano, Salazar, Chaney, Blaydes
Absent when vote taken: [2] Miller, Thornton-Reese
Absent: [1] Fantroy

Mayor Pro Tem Hill declared the motion adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 23, 2006

EXHIBIT C

