

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 13, 2006

06-2370

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

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

ABSENT: [1] Natinsky absent on city business

The meeting was called to order at 9:25 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.

Brandon Scott, Carter 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 4:02 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, SEPTEMBER 13, 2006

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 13, 2006

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2371

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: Richard Sheridan, 3022 Forest Ln  
SUBJECT: The separation between Black and Hispanic Communities

SPEAKER: Mary Hasan, 3425 Hacienda  
SUBJECT: Civilian Employees

SPEAKER: Fredrick Haynes, 2020 Wheatland Rd.  
SUBJECT: Block the box

SPEAKER: Curtis Wilbert, 1815 Heatherglen  
SUBJECT: Block the box

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

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

SPEAKER Roscoe Betz, 706 Huntley St.  
SUBJECT: Flooding in Alcalde Street

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.  
SUBJECT: Ongoing problems with DPD officers, Mayor, Code Compliance

SPEAKER: Jewel Floyd, 3815 Myrtle  
SUBJECT: The criminal fraud that's going on with City, State, and Government

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Environmental racism/Mayor and Dallas City Council

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2372

Item 1: Approval of Minutes of the August 23, 2006 City Council Meeting

Councilmember Medrano moved to approve the minutes.

Motion seconded by Councilmember Koop and unanimously adopted. (Fantroy absent when vote was taken; Natinsky absent on city business)

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2373

### CONSENT AGENDA

The consent agenda, consisting of agenda items 2-77 and addendum addition consent agenda items 1-13, were presented for consideration.

Mayor Miller requested that addendum addition consent agenda item 8 be considered prior to consideration of the consent agenda and addendum addition consent agenda. There being no objection voiced to Mayor Miller's request, the city council considered addendum addition consent agenda item 8 prior to consideration of the consent agenda and addendum addition consent agenda.

The city secretary announced that the city manager had deleted consent agenda items 42 and 62 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that Councilmember Salazar had deferred consent agenda item 42 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city manager requested that consent agenda item 61 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 61 be considered as an individual item later in the meeting, there being no objection voiced to the city manager's request.

Mayor Pro Tem Hill requested that consent agenda item 42 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 42 had been deleted by the city manager and deferred by Councilmember Salazar from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Chaney requested that consent agenda items 29 and 30 be considered as individual items. Mayor Pro Tem Hill stated that consent agenda items 29 and 30 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Rasansky requested that consent agenda items 22, 26, 39, 43, 56, 62, 63, 64, 68, 69, 73, 76, and addendum addition consent agenda items 7 and 10, be considered as individual items. Mayor Pro Tem Hill stated that consent agenda items 22, 26, 39, 43, 56, 62, 63, 64, 68, 69, 73, 76 and addendum addition consent agenda items 7 and 10 be

considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2373

Page 2

Councilmember Hunt requested that consent agenda item 26 and addendum addition consent agenda item 7 be considered as individual items. Mayor Pro Tem Hill stated that consent agenda item 26 and addendum addition consent agenda item 7 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 22, 26, 29, 30, 39, 42, 43, 56, 61, 62, 63, 64, 68, 69, 73, 76, and addendum addition consent agenda items 7, 8, and 10, which would be considered later in the meeting.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2374

Item 2: Authorize a professional services contract with RoofTech for the design of replacement roofing systems, replacement mechanical systems, and providing construction specifications and administration at the Family Gateway Center located at 711 South St. Paul, J.C. Turner Recreation Center located at 6924 Elam Road, MLK, Jr. Recreation Center located at 2922 MLK Boulevard, Fretz Park Library located at 6990 Belt Line Road and Walnut Hill Recreation Center located at 4141 Walnut Hill Lane - \$184,553 - Financing: Capital Construction Funds (\$154,053) and 2005-06 Community Development Grant Funds (\$30,500)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2375

Item 3: Authorize a professional services contract with Marcel Quimby Architecture Preservation, Inc. for an archeological survey, historic structures report, Historic American Building Survey, park development plan and the preparation of a City of Dallas Landmark Designation report for the Grady Niblo/Sharrock property located near the southwest corner of Grady Niblo Road and Kiwanis Road - \$101,533 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2376

Item 4: Authorize a professional services contract with Berkenbile+Craig, Inc. for preliminary design, schematic design, surveying and topographic mapping, construction documents and construction administration services for a trail, bridge, and overlook improvements at Bert Fields Park located at 14200 Hughes - \$59,565 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2377

Item 5: Authorize a professional services contract with Halff Associates, Inc. for topographic survey, data acquisition and base plan preparation, condition assessment of storm and sanitary sewer, exhibit planning preliminary design, and schematic design, design development, bidding and construction administration phases for the upgrades and improvements to the animal holding, quarantine facilities, research lab and life support systems for the Dallas Aquarium at Fair Park located at 1462 First Avenue - \$273,250 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2378

Item 6: Authorize a professional services contract with Kimley-Horn and Associates, Inc. to provide engineering design services for the replacement of water and wastewater mains at 76 locations (list attached) - \$1,836,800 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2379

Item 7: Authorize a contract for the construction of a new concrete trail and erosion control improvements at Mountain Valley Park located at 1428 Merrifield Road - Jeske Construction Company, lowest responsible bidder of seven - \$139,720 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2380

Item 8: Authorize a contract for playground equipment, site furnishings, concrete walks, Americans with Disabilities Act compliant drinking fountains and parking lot overlay at Bonnie View Park located at 2100 Huntingdon - A S Con, Inc., lowest responsible bidder of four - \$143,100 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2381

Item 9: Authorize a contract for the reconstruction of alley paving and wastewater improvements for Alley Group 03-2022 (list attached) - Admiral Construction Company, lowest responsible bidder of four - \$239,658 - Financing: 2003 Bond Funds (\$159,023), and Wastewater Capital Construction Funds (\$80,635)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2382

Item 10: Authorize a contract for the construction of the Supervisory Control and Data Acquisition system upgrade and plant improvements at the Elm Fork Water Treatment Plant - Bauman Instrument Corporation, lowest responsible bidder of three - \$2,090,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2383

Item 11: Authorize a contract for the construction of the Camp Wisdom Pump Station - Oscar Renda Contracting, Inc., lowest responsible bidder of three - \$7,860,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2384

Item 12: Authorize a contract for (1) the construction of settling basin Improvements at the Central Wastewater Treatment Plant, and (2) the installation of a gate in the wastewater flow control structure near Sunbeam Avenue - Archer Western Contractors, Ltd., lowest responsible bidder of three - \$17,804,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2385

Item 13: Authorize a contract for the construction of improvements to the solids screening and thickening facility at the Southside Wastewater Treatment Plant - Archer Western Contractors, Ltd., lowest responsible bidder of two - \$5,946,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2386

Item 14: Authorize an increase in the design-build contract with AUI Contractors, L.P. for additional electrical, plumbing, irrigation, pool systems, public safety items including fixtures, equipment, signage, trenching and concrete placement at Bahama Beach for the Thurgood Marshall Family Aquatics Center located at 5150 Mark Trail Way - \$53,411, from \$5,403,105 to \$5,456,516 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2387

Item 15: Authorize an increase in the contract with Hagler Construction Company, Inc. for the installation of an electric range and exhaust hood, microwave kit in the kitchen, electrical modifications for the kitchen equipment, painting, acoustic treatment, changing fire sprinkler heads in the kitchen and replacement of toilet accessories at Park in the Woods Recreation Center located at 6800 Mountain Creek Parkway - \$39,805, from \$1,765,375 to \$1,805,180 - Financing: 1998 Bond Funds (\$38,722) and Current Funds (\$1,083)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2388

Item 16: Authorize an increase in the contract with Gibson and Associates, Inc. for the construction of additional streetscape improvements on Field Street, St. Paul Street, and Harwood Street from Pacific Avenue to Ross Avenue for the North/South Streetscape Extension Project, Phase II - \$119,126, from \$2,748,957 to \$2,868,083 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2389

Item 17: Authorize (1) a public hearing to be held on October 11, 2006, to receive comments concerning proposed use of Five Mile Creek Greenbelt; and, at the close of the hearing, (2) consideration of the installation of a permanent eight-inch wastewater line and a thirty-six inch storm sewer line outfall - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2390

Item 18: Authorize an additional payment to the Texas Department of Transportation for the City's share of construction costs for paving and drainage improvements on Northwest Highway from 200 feet west of Shiloh Road to 200 feet west of Interstate 635 - \$264,793 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2391

Item 19: Authorize a Project Specific Agreement with Dallas County for participation in the design, right-of-way acquisition, and construction of paving and drainage improvements on Mountain Creek Parkway from IH 20 to Spur 408 - City's share will not exceed \$7,500,000 (\$4,063,183 previously authorized and \$3,436,817 will be required in a future bond program) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2392

Item 20: Authorize payment to Dallas Area Rapid Transit for the City's share of design and construction costs for the grade-separated crossing of the Southeast Corridor Line Section (SE-1) on Phase II of the East Dallas VeloWay (Santa Fe Trail) from Glasgow Street to Exposition Street - \$200,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2393

Item 21: Authorize (1) sidewalk paving improvements on the northwest side of Plymouth Road from West Davis Street to North Hampton Road; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on October 11, 2006, to receive comments - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2394

Item 22: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Margaux City Lights Partners, Ltd. of 4 tracts containing a total of approximately 10,565 square feet of land and 7 temporary construction easements containing a total of approximately 5,950 square feet of land located near the intersection of Live Oak Street and Good Latimer Expressway in connection with the U.S. 75/Bryan Street Project - \$420,186 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 22 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 22 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 22 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Oakley, Koop absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2395

Item 23: Authorize deposit of a Special Commissioners' Award for acquisition from James Bryan Watson, Jr. of a tract of land containing approximately 6 acres located in Van Zandt County for the Lake Fork Water Pipe Line Project - \$16,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2396

Item 24: Authorize deposit of a Special Commissioners' Award for acquisition from Michael Finley Robertson of approximately 40 acres of land located near the intersection of Dixon and 2nd Avenues for the Trinity River Corridor Project - \$52,680 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2397

Item 25: Authorize an increase in the purchase price for the acquisition of one property improved with a vacant commercial structure located at 5309 Bexar Street at its intersection with Starks Avenue - \$11,919, from \$25,000 to \$36,919 -  
Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2398

Item 26: An ordinance granting a revocable license to MRCI, Inc. for the use of approximately 1,071 square feet of land to install and maintain 6 awnings over portions of Swiss Avenue and Cantegral Streets rights-of-way for a one-time fee of \$6,000 for 2006 through 2009 - Revenue: \$6,000 plus the \$20 ordinance publication fee

Councilmembers Rasansky and Hunt requested that consent agenda item 26 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Rasansky's and Hunt's request.

Later in the meeting agenda item 26 was brought up for consideration.

Councilmember Hunt moved to approve the ordinance.

Motion seconded by Deputy Mayor Pro Tem Garcia.

After 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 Rasansky voting "No". (Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26437.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2399

Item 27: 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 Lucas Drive and Harry Hines Boulevard (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2400

Item 28: 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 Rail Operating Facility located near the intersection of Abernathy Avenue and Century Street (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2401

Item 29: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 4 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Grand Avenue and Medill Street, Trunk and 2nd Avenues and Trunk and 4th Avenues (list attached) - Financing: No cost consideration to the City

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

Later in the meeting agenda item 29 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 Blaydes moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney abstain; Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2402

Item 30: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 4 tracts of land for the construction of the Southeast Corridor Line Section (SE-2) located near the intersection of Scyene and Claypool Roads (list attached) - Financing: No cost consideration to the City

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

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

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

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney abstain; Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2403

Item 31: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 6 tracts of land for the construction of the Northwest Corridor Line Section (NW-3) located near the intersections of Northwest Highway and Denton Drive and Storey Lane 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

SEPTEMBER 13, 2006

06-2404

Item 32: An ordinance abandoning portions of Colby Street to Gerald Essl, Jeanette Essl, Peter Szmuk and Eleonora Szmuk, the abutting owners, containing a total of approximately 1,125 square feet of land located near its intersection with Boll Street, and authorizing the quitclaim - Revenue: \$49,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26438.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2405

Item 33: An ordinance granting a private license to BV Retail Berkshire, L.P. for the use of approximately 250 square feet of land to construct and maintain an awning over a portion of Berkshire Lane right-of-way located near its intersection with Westchester Drive for a one-time fee of \$1,000 for 2006 through 2009 - Revenue: \$1,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26439.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2406

Item 34: An ordinance granting a private license to MSDW Office Partners, LP for the use of approximately 840 square feet of land to maintain the existing parking garage and vehicle height limitation barrier located near the intersection of Blair Road and La Sierra Drive - Revenue: \$1,200 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26440.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2407

Item 35: A resolution authorizing the conveyance of a drainage easement across City-owned land at Lake Ray Hubbard containing approximately 4,868 square feet to the City of Garland located near the intersection of Country Club and Centerville Roads - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2408

Item 36: A resolution authorizing a reduction of the minimum bid amount from \$35,820 to \$17,910 for an unwanted and unneeded tract of City-owned land containing approximately 39,800 square feet located near the intersection of Spring Avenue and Cross Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2409

Item 37: A resolution authorizing a reduction of the minimum bid amount from \$5,500 to \$2,750 for an unwanted and unneeded tract of City-owned land containing approximately 5,600 square feet located near the intersection of Foreman Street and Metropolitan Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2410

Item 38: A resolution authorizing a reduction of the minimum bid amount from \$7,500 to \$3,750 for an unwanted and unneeded tract of City-owned land containing approximately 6,250 square feet located near the intersection of Latimer Street and Pennsylvania Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2411

Item 39: Authorize a renewal to the contract for on-going maintenance of the Lawson Human Resources and payroll software, and end-user licenses to support the Human Resources Information System with Lawson Software, Incorporated for the period October 1, 2006 through September 30, 2007 - Sole Source - Not to exceed \$192,000 - Financing: Current Funds (subject to appropriations)

Councilmember Rasansky requested that consent agenda item 39 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 39 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 39 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

Councilmember Oakley moved to reconsider the previous vote on Councilmember Rasansky's motion to approve the item.

Motion seconded by Councilmember Blaydes.

After discussion, Deputy Mayor Pro Tem Garcia called the vote on Councilmember Oakley's motion to reconsider Councilmember Rasansky's motion to approve the item and defer the item until September 27, 2006.

Deputy Mayor Pro Tem Garcia declared the motion to reconsider was adopted and agenda item 39 was before the council for reconsideration. (Miller absent when vote was taken; Natinsky absent on city business)

Councilmember Oakley moved to defer the item until September 27, 2006.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2412

Item 40: Authorize a thirty-six-month master agreement for powdered beverages and bottled water from the most advantageous proposer of three - Dr Pepper Bottling Company of Texas - Not to exceed \$250,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2413

Item 41: Authorize a twenty-four-month master agreement for traffic signal heads, hardware and supplies with the lowest responsible bidders of eight - Traffic Parts, Inc. in the amount of \$157,641, TraStar, Inc. in the amount of \$77,350, and Paradigm Traffic Systems, Inc. in the amount of \$58,810 - Total not to exceed \$293,801 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2414

Item 42: Authorize a sixty-month concession contract, with three twelve-month renewal options, for shoe shine concession at Dallas Love Field with the highest responsible bidder of two - Love Shines, Inc. - Estimated Revenue: \$456,000

Deleted on the addendum to the agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2415

Item 43: Authorize a twenty-four-month master agreement for the rental of automobiles and light and heavy equipment with the lowest responsible bidders of eight - Hertz Equipment Rental Corp. in the amount of \$3,696,192, Landmark Equipment in the amount of \$2,162,952, Four Seasons in the amount of \$362,400, Capps Rent-A-Car in the amount of \$1,853,436, Enterprise Rent-A-Car in the amount of \$346,980 - Total not to exceed \$8,421,960 - Financing: Current Funds (\$7,220,088), 2006-07 Community Development Grant Funds (\$10,500), Internet Crimes Against Children Grant Funds (\$15,360), Confiscated Monies Funds (\$55,932), Commercial Auto Theft Funds (\$34,260), Water Utilities Current Funds (\$1,048,308), Building Inspection Current Funds (\$37,512)

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 43 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 43 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Griffith.

After 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 Rasansky voting "No." (Miller, Garcia, Salazar absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2416

Item 44: Authorize a thirty-six-month master agreement for parts and labor to be used for refuse trucks and specialized equipment with the lowest responsible bidders of two - Heil of Texas in the amount of \$96,200 and Industrial Disposal Supply in the amount of \$2,306,800 - Total not to exceed \$2,403,000  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2417

Item 45: Authorize a thirty-six-month master agreement for Elkhart, Akron and Snaptite parts used for the repair and maintenance of emergency fire apparatus with the only bidder - Dooley Tackaberry, Inc. - Not to exceed \$195,862 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2418

Item 46: Authorize a thirty-six-month master agreement for fire fighting foam with the lowest responsible bidders of five - ICL Performance Products LP in the amount of \$340,200, Chemguard, Inc. in the amount of \$211,428, and Casco Industries, Inc. in the amount of \$323,640 - Total not to exceed \$875,268 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2419

Item 47: Authorize a thirty-six-month master agreement for emergency and non-emergency medical supplies for rescue units, with the lowest responsible bidder of seven - Alliance Medical, Inc. - Not to exceed \$2,435,510 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2420

Item 48: Authorize the purchase of Mark I nerve agent antidote kits and Diazepam auto injectors to be used for the treatment of nerve agent poisonings, from Meridian Medical Technologies - Sole Source - Not to exceed \$72,175 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2421

Item 49: Authorize the purchase of a visual search and rescue camera system from Search Systems, Inc. - Sole Source - Not to exceed \$106,485 - Financing: 2005 Assistance to Firefighters Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2422

Item 50: Authorize the purchase of insurance policies from various insurance companies for City-owned buildings, contents, equipment, fine arts, boilers and machinery, and money and securities, with the most advantageous proposer of two - Arthur J. Gallagher Risk Management Services, Inc. - Not to exceed \$3,000,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2423

Item 51: Authorize the purchase of a replacement asphalt paver from the only bidder - Conley Lott Nichols Machinery - Not to exceed \$74,938 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes (\$71,908), Current Funds (\$3,030)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2424

Item 52: Authorize the purchase of eighty hydrant dechlorinating diffusers for the removal of chlorine from hydrant water from Integra Chemical Company - Sole Source - Not to exceed \$70,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2425

Item 53: Authorize (1) the rejection of bids received for plastic sewer couplings and lateral cleanouts; and, (2) the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2426

Item 54: Authorize a twelve-month master agreement for powdered activated carbon with the lowest responsible bidder of two - Norit Americas, Inc. - Not to exceed \$432,480 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2427

Item 55: Authorize (1) the rejection of bids received for butterfly valves; and, (2) the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2428

Item 56: Authorize a thirty-six-month master agreement for industrial equipment, tools and supplies with the lowest responsible bidders of nine - Colonial Hardware Corporation in the amount of \$1,005,220, W. W. Grainger in the amount of \$387,000, MSC Industrial Supply in the amount of \$393,880, Nations Rent, Inc. in the amount of \$285,735, Midway Auto Supply Co. in the amount of \$113,090, and Applied Industrial Technologies - TX LP in the amount of \$72,240 - Total not to exceed \$2,257,165 - Financing: Water Utilities Current Funds (\$1,683,571) and Current Funds (\$573,594)

Councilmember Rasansky requested that consent agenda item 56 be considered as an individual item. Mayor Pro Tem Hill 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's request.

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Blaydes.

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

Mayor Pro Tem Hill declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2429

Item 57: Ratify an increase in the contract with Archer Western Contractors, Ltd. for emergency repairs to a wastewater flow control structure at the Southside Wastewater Treatment Plant - \$94,488, from \$24,061,142 to \$24,155,630 - Financing: Wastewater Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2430

Item 58: Authorize settlement of the lawsuit styled Everett Young et al. v. City of Dallas, Texas, Cause No. 3:05-CV-2520-R - Not to exceed \$252,500 -  
Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2431

Item 59: Authorize settlement of the lawsuit styled Lisa S. Montgomery v. Enrique Cibares Prieto & City of Dallas, Texas, Cause No. 05-14586-C - Not to exceed \$16,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2432

Item 60: An ordinance annexing 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

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26441.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2433

Item 61: An ordinance adopting a boundary adjustment agreement with the City of Irving on property owned by the Texas Department of Transportation in the right-of-way of Irving Boulevard from a line 200 feet west of the centerline of the Trinity River westward to the west end of the Irving Boulevard bridge containing 0.00452 square miles to allow all of the property to be located within the corporate limits of the City of Dallas - Financing: No cost consideration to the City

The City Manager requested that consent agenda item 61 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 61 would be considered as an individual item later in the meeting, there being no objection voiced to the City Manager's request.

Councilmember Oakley moved to approve the ordinance.

Motion seconded by Councilmember Salazar and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26442

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2434

Item 62: Authorize an amendment to Resolution No. 05-0160, previously approved on January 12, 2005, which authorized a development agreement with Top Dog - Oak Cliff, L.P. providing for the funding of design and construction of public improvements for the renovation of Lake Cliff Tower building to produce approximately 60 luxury condominiums located at 329 E. Colorado Boulevard and the new construction of approximately 32,500 square feet of commercial space on the adjacent property at 1335 N. Zang Boulevard in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and established appropriations in an amount not to exceed \$4,100,000 in the Oak Cliff Gateway TIF District Fund; to (1) extend the completion date for the commercial site at 1335 N. Zang Boulevard to December 31, 2008 and (2) provide mixed-use options to Top Dog - Oak Cliff, L.P. for the new construction at 1335 N. Zang Boulevard, which provides the necessary added value to the project and meets the requirements of Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan - \$4,100,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2435

Item 63: Authorize (1) approval of the Deep Ellum Public Improvement District Service Plan for 2007; (2) a public hearing to be held on September 27, 2006 to receive comments concerning the annual 2006 assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 63 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 63 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 63 was brought up for consideration.

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

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Rasansky abstain; Miller absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2436

Item 64: Authorize (1) approval of the Dallas Downtown Improvement District Service Plan for 2007; (2) a public hearing to be held on September 27, 2006 to receive comments concerning the annual assessment rate for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Dallas Downtown Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2006 assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 64 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 64 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 64 was brought up for consideration.

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

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Rasansky abstain; Miller absent when vote take; Natinsky absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2437

Item 65: Authorize (1) approval of the Prestonwood Public Improvement District Service Plan for 2007; (2) a public hearing to be held on September 27, 2006 to receive comments concerning the annual assessment rate for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2006 assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2438

Item 66: Authorize (1) approval of the South Side Public Improvement District Service Plan for 2007; (2) a public hearing to be held on September 27, 2006 to receive comments concerning the annual assessment rate for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the South Side Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2006 assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2439

Item 67: Authorize (1) approval of the Uptown Public Improvement District Service Plan for 2007; (2) a public hearing to be held on September 27, 2006 to receive comments concerning the annual assessment rate for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the 2006 assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date  
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2440

Item 68: Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 2007; (2) a public hearing to be held on September 27, 2006 to receive comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 68 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 68 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 68 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 Blaydes and unanimously adopted. (Rasansky abstain; Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2441

Item 69: Authorize (1) a development agreement with Santa Fe Lofts IV LP., to provide funding for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures for the redevelopment of Santa Fe IV located at 1033 Young Street in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District), and, (2) the Downtown Connection TIF Board of Directors to dedicate future tax increment revenue of the Downtown Connection TIF District in an amount not to exceed the lesser of (a) 20% of the added DCAD value one year after project completion on 1033 Young Street, or, (b) \$4,296,264 for TIF-eligible expenditures - Total not to exceed \$4,296,264 - Financing: Downtown Connection TIF District Funds

Councilmember Rasansky requested that consent agenda item 69 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 69 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 69 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2442

Item 70: A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Santa Fe Lofts IV LP, for eligible expenditures pursuant to the development agreement with Santa Fe Lofts IV LP, in an amount not to exceed the lesser of (a) 20% of the added DCAD value one year after project completion on 1033 Young Street, or, (b) \$4,296,264 for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures related to the redevelopment of Santa Fe Lofts IV located at 1033 Young Street in the Downtown Connection TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2443

Item 71: Authorize the acceptance of a grant from the Department of Health and Human Services, Centers for Disease Control and Prevention to be used for costs associated with purchasing, distributing and installing long lasting, lithium-powered smoke alarms in houses and duplexes of targeted communities within the City of Dallas for the period of October 1, 2006 through September 30, 2010 - Not to exceed \$719,047 - Financing: Department of Health and Human Services, Centers for Disease Control and Prevention Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2444

Item 72: Authorize the reconstruction on-site of three homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1811 Nomas Street in the amount \$70,000, 1714 Toronto Street in the amount of \$70,000, and 3701 Vilbig in the amount of \$70,000 - Total not to exceed \$210,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2445

Item 73: Authorize (1) the transfer of 42 lots in the 8500-8600 blocks of Bearden and 2800 block of Don Streets from Operation Relief Center, Inc. (ORC) to Coronado Assets, LP, (2) a development agreement with Coronado Assets, LP; (3) a subordination agreement with North Dallas Bank and Trust for the development of affordable and market-rate housing at Pleasant Oaks Estates; and (4) an amendment of documents with ORC - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 73 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 73 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 73 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 Blaydes moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain; Miller absent when vote taken; Natinsky absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2446

Item 74: Authorize a travel policy for City Councilmember travel related to furthering the legislative goals of the City of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2447

Item 75: Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2006 through August 31, 2007 and execution of the grant agreement - Not to exceed \$418,599 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2448

Item 76: Authorize a twenty-year development and operating agreement, with two five-year renewal options, with Texas Horse Park, Inc. for the Texas Horse Park (formerly known as the Trinity River Equestrian Center) located at Elam Road at Pemberton Hill - \$1,000,000 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 76 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 76 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 76 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. ( Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2449

Item 77: A resolution authorizing “The Trinity” as the permanent name for the Trinity River Corridor Project to be included in future design projects and branding initiatives - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2450

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 78-81 were presented for consideration.

Agenda items 79 and 80 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 78: Zoning Case Z056-263 (RB)  
~~Agenda item 79: Zoning Case Z056-268 (JH)~~ **[Considered individually]**  
~~Agenda item 80: Zoning Case Z056-272 (WE)~~ **[Considered individually]**  
Agenda item 81: Zoning Case Z056-280 (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 Fantroy 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. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2451

Item 78: Zoning Case Z056-263 (RB)

The consent zoning docket, consisting of agenda items 78-81, were presented.

A public hearing was called on zoning case Z056-263 (RB), an application for and an granting a Specific Use Permit for a Utility or government installation other than listed for a Police maintenance facility on property located within the Mixed Use Subdistrict of Planned Development District No. 625 on the north line of Camp Wisdom Road, west of Lancaster Road

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

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

Councilmember Fantroy 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.  
(Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26443.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2452

Item 79: Zoning Case Z056-268 (JH)

The consent zoning docket, consisting of agenda items 78-81, were presented.

Deputy Mayor Pro Tem Garcia requested that consent agenda item 79 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 79 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Later in the meeting agenda item 79 was brought up for consideration.

A public hearing was called on zoning case Z056-268 (JH), an application for and an ordinance granting an amendment to Tract I in Planned Development District No. 340, on the southeast corner of Bishop Avenue and Colorado Boulevard

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

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing, and approve the city plan commission recommended amendments to Planned Development District No. 340 with the following additional provision:

“The operation of outside loudspeakers in Tract I is prohibited, except outside loudspeakers that are mounted to an occupied building and required to operate a drive-in or drive-through window.”

and pass the ordinance.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26444.





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2453

Item 80: Zoning Case Z056-272 (WE)

The consent zoning docket, consisting of agenda items 78-81, were presented.

Councilmember Fantroy requested that consent agenda item 80 be considered as an individual item. Mayor Pro Tem Hill stated that consent agenda item 80 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Later in the meeting agenda item 80 was brought up for consideration.

A public hearing was called on zoning case Z056-272 (WE), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an NO(A) Neighborhood Office District on the east line of Westmoreland Road, north of Camp Wisdom Road

(The city plan commission recommended approval)

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

Councilmember Fantroy closed the public hearing and moved to hold under advisement indefinitely.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2454

Item 81: Zoning Case Z056-280 (RB)

The consent zoning docket, consisting of agenda items 78-81, were presented.

A public hearing was called on zoning case Z056-280 (RB), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property zoned an R-10(A) Single Family District on the east corner of Diceman Drive and Old Gate Lane

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

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26445.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2455

Item 82: Zoning Case Z056-269 (JH) INDIVIDUAL

A public hearing was called on zoning case Z056-269 (JH), an application for and an ordinance granting a Specific Use Permit for convalescent and nursing home, hospice care, and related uses on property zoned Subarea 3 within Planned Development District No. 298, the Bryan Place Special Purpose District, on the northeast side of North Haskell Avenue, north of Bryan Street

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

No one appeared in opposition to this item.

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

Kirk R. Williams, 5400 Renaissance Tower, representing applicant

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

Motion seconded by Councilmember Koop and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26446.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2456

Item 83: Zoning Case Z056-203 (JH) INDIVIDUAL

A public hearing was called on zoning case Z056-203 (JH), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-10(A) Single Family District uses on property zoned an R-10(A) Single Family District on the south corner of Edd Road and Garden Grove Drive with consideration given to a Specific Use Permit for a public school other than an open-enrollment charter school

(The city plan commission recommended approval of a Planned Development District, subject to a development plan and conditions)

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Councilmember Fantroy 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. (Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26447.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2457

Item 84: Zoning Case Z056-224 (WE) INDIVIDUAL

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

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

A public hearing was called on zoning case Z056-224 (WE), an application for an amendment to the deed restrictions on property zoned a GR General Retail Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east line of McKinney Avenue, southeast of Armstrong Avenue

(The city plan commission recommended denial)

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

Rodger Albright, 3301 Elm St., representing the applicant  
Cretia Drydale, 215 W. Camp Wisdom, owner

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

Erica Bachman, 4411 McKinney  
Shelly Bergman, 4412 McKinney

Councilmember Hunt moved to closed the public hearing and accept the recommendation of the city plan commission to deny with prejudice.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Miller absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2458

Item 85: Zoning Case Z056-273 (WE) INDIVIDUAL

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

Later in the meeting, zoning docket item 85 was brought up for consideration.

A public hearing was called on zoning case Z056-273 (WE), an application for a Planned Development Subdistrict for GR General Retail Subdistrict uses within Planned Development District No. 193, a Specific Use Permit for a restaurant without drive-through service and an amendment to the deed restrictions on property zoned a GR General Retail Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east line of McKinney Avenue, southwest of Armstrong Avenue

(The city plan commission recommended denial)

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

Rodger Albright, 3301 Elm St., representing the applicant  
Cretia Drydale, 215 W. Camp Wisdom, owner

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

Erica Bachman, 4411 McKinney  
Shelly Bergman, 4412 McKinney

Councilmember Hunt moved to closed the public hearing and accept the recommendation of the city plan commission to deny with prejudice.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Miller absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2459

Item 86: Zoning Case Z045-254 (RB) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-273 (WE), 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 recommendation of the city plan commission.

Councilmember Koop moved to hold under advisement until September 27, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2460

Item 87: Zoning Case Z056-255 (WE) UNDER ADVISEMENT - INDIVIDUAL

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)

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

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

Karl Crawley, 900 Jackson St., representing applicant

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission.

Motion seconded by Councilmember Koop and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26448



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2461

Item 88: 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.

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

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 for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to site plan and conditions)

The following individual addressed the city council regarding the item:

Victoria Welcome, 2319 Elder Oak

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

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

Tony Evans, 1940 Elder Leaf Dr., owner

Councilmember Fantroy moved to close the public hearing and approve the specific use permit, with changes as shown in the alternate ordinance distributed at this hearing. These changes include the following:

- “ 1) Limiting the community service center use to a pregnancy center.
- 2) Changing the time limit to a period that expires on March 13, 2009, with eligibility for automatic renewal for additional 4-year periods

- 3) Requiring the operator of the pregnancy center to appoint an advisory committee comprised of members of the community and surrounding neighborhoods.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-2461

Page 2

Motion seconded by Councilmember Thornton-Reese.

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Fantroy’s motion with changes as shown in the alternate ordinance distributed at this hearing.

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

Voting No: [0]

Absent when vote was taken: [1] Miller

Absent: [1] Natinsky

Mayor Pro Tem Hill declared the motion adopted.

Assigned ORDINANCE NO. 26449

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2462

Item 89: Public Hearing – FLOODPLAIN APPLICATION

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 2.85 acres of land, zoned IM, currently in the floodplain of Joe's Creek and being part of Block 6452 and part of Lots 6 and 7 in Block 4/6452 of Lombardy Industrial Park - Fill Permit 05-14 - 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 Councilmember Blaydes and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2463

Item 90: Public Hearing – FLOODPLAIN APPLICATION

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 2.21 acres of land, zoned Industrial Research District, located at 6011 Lemmon Avenue, currently in the floodplain of Knights Branch - Fill Permit 06-03 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the application:

Matthew Smiley, 6320 Copeland Rd., Tyler, Tx, representing applicant

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

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2464

Municipal Setting Designation at  
Gaston and Haskell

Note: Item Nos. 91 and 92 must  
be considered collectively

Item 91: A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by L.B. Billingsley Investment Company and James Kevin Walkup located at 4105, 4111, 4121, 4122, 4130, 4201, and 4204 Gaston Avenue; 912 and 916 Haskell Avenue, and 4122 Swiss Avenue including the adjacent street rights-of-way - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions.”

The following individual addressed the city council regarding the item:

David E. Whitten, 8123 San Fernando Way, representing applicant

Councilmember Medrano moved to close the public hearing.

Motion seconded by Councilmember Oakley and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2465

Municipal Setting Designation at  
Gaston and Haskell

Note: Item Nos. 91 and 92 must  
be considered collectively

Item 92: An ordinance authorizing support of the issuance of a municipal setting designation to L.B. Billingsley Investment Company and James Kevin Walkup or to Greenway-Gaston, LLC, the prospective purchaser of the property by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6.108(g)(3) of the Dallas Development Code, the applicant or licensed representative of the applicant who is familiar with the application must be present and available to answer questions.”

The following individual addressed the city council regarding the item:

David E. Whitten, 8123 San Fernando Way, representing applicant

Councilmember Medrano moved to pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26450

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2466

Public Hearing – REINVESTMENT ZONE NO. 65

Note: Item Nos. 93/94/95  
must be considered  
collectively

Item 93: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 65, incorporating property on the north side of Interstate 20 at Mountain Creek Parkway, for the purpose of granting a real property and business personal property tax abatement to Nestle Waters North America Inc. - Financing: No cost consideration to the City

No one addressed the city council regarding the item

Councilmember Oakley moved to close the public hearing.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2467

Public Hearing – REINVESTMENT ZONE NO. 65

Note: Item Nos. 93/94/95  
must be considered  
collectively

Item 94: An ordinance designating property at Interstate 20 and Mountain Creek Parkway, as City of Dallas Reinvestment Zone No. 65, for the purpose of granting a real property and business personal property tax abatement to Nestle Waters North America Inc. establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

Assigned ORDINANCE NO. 26451



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2468

Public Hearing – REINVESTMENT ZONE NO. 65

Note: Item Nos. 93/94/95  
must be considered  
collectively

Item 95: Authorize a 50 percent real property and a 75 percent business personal property tax abatement agreement for 10 years with Nestle Waters North America Inc. located at the property north of Interstate 20 and east of Mountain Creek Parkway - Revenue: First year revenue estimated at \$207,676; ten-year revenue estimated at \$2,076,760; (Estimated revenue foregone for ten-year real and business personal property tax abatement estimated at \$4,005,180)

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2469

Public Hearing – CONSOLIDATED PLAN  
REPROGRAMMING BUDGET

**Note:** Items Nos. 96 and 97  
must be considered  
collectively

Item 96: A public hearing to receive comments on the proposed FY 2005-06 Consolidated Plan Reprogramming Budget #2 for U.S. Department of Housing and Urban Development Grant Funds - 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.

No one addressed the city council regarding the item

Councilmember Blaydes moved to close the public hearing.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain; Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2470

Public Hearing – CONSOLIDATED PLAN  
REPROGRMAMING BUDGET

**Note:** Items Nos. 96 and 97  
must be considered  
collectively

Item 97: Authorize adoption of the Final FY 2005-06 Consolidated Plan  
Reprogramming Budget #2 for U.S. Department of Housing and Urban  
Development Grant Funds to reallocate \$185,000 of FY 2004-05 and  
\$515,000 of FY 2005-06 HOME Investment Partnership Program Funds to  
HOME CHDO Set-aside Development 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 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 Blaydes moved to approve the budget.

Motion seconded by Councilmember Salazar and unanimously adopted. (Rasansky abstain; Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2471

Item 98: Public Hearing – PROPERTY TAX RATE

A public hearing to receive comments on the proposed 73.92¢/\$100 property tax rate for the 2006-07 fiscal year - Financing: No cost consideration to the City

No one addressed the city council regarding the item:

Councilmember Chaney moved to close the public hearing.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2472

06-2493

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

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 September 13, 2006.

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

Deputy Mayor Pro Tem Garcia moved to appoint Mario Cadena to the Senior Affairs Commission, Earl O. Latimer II and Hank (Enrico) Rossi to Reinvestment Zone One Board (State-Thomas) and Taylor Bowen to Reinvestment Zone Two Board (CityPlace Area).

Motion seconded by Councilmember Oakley and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

Deputy Mayor Pro Tem Garcia moved to appoint David Neumann, vice-chair, City Plan and Zoning Commission.

Motion seconded by Councilmember Griffith and unanimously adopted. (Miller, Fantroy absent was vote was taken; Natinsky absent on city business)

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

**06-2495 SAC SENIOR AFFAIRS COMMISSION**

**06- 2496 RZ01 REINVESTMENT ZONE ONE BOARD (STATE-THOMAS)**

**06-2497 RZ02 REINVESTMENT ZONE TWO BOARD (CITYPLACE AREA)**

**06-2498 Board Officer**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2473

Item 100: Authorize the sale by quitclaim deed of 11 tax foreclosed properties acquired by the taxing authorities from a Sheriff's Sale to the City of Dallas (list attached) - Revenue: \$58,910

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2474

Item 101: Authorize acquisition of 11 tax foreclosed properties in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed Dallas Police Academy (list attached) - \$58,910 - Financing: 2003 Bond Funds

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Miller, Fantroy absent when vote taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2475

Item 102: Authorize (1) adoption of the Preliminary FY 2005-06 Consolidated Plan Reprogramming Budget #3 to reallocate \$350,000 of Community Development Block Grant Funds from the Residential Development Acquisition Loan Program to the Bexar Street Project; and, (2) a public hearing to be held on October 25, 2006 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the budget.

Motion seconded by Councilmember Salazar and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2476

Item 103: 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 Koop moved to reject the bid and readvertise.

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2477

Addendum addition 1: Authorize a thirty-six-month professional services contract for fire protection engineering services to assist with the review of construction plans submitted for proposed developments within the City of Dallas, with the most advantageous proposers of three - Coker Engineering, LLC in the amount of \$137,500 and MEH Fire Engineering, LLC in the amount of \$137,500 - Total not to exceed \$275,000 - Financing: Building Inspection Current Funds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2478

Addendum addition 2: Authorize **(1)** the rejection of the only proposal received for the construction of the Trinity River Audubon Center and site improvements, indoor and outdoor exhibits and interpretive graphics at the Trinity River; and, **(2)** the readvertisement for a new Request for Competitive Sealed Proposals - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2479

Addendum addition 3: Authorize **(1)** rescinding the contract with Texas Standard Construction, Ltd. for streetscape improvements on Akard Street from Pacific Avenue to Ross Avenue, Ervay Street from Pacific Avenue to Ross Avenue, and streetscape and minor street improvements on Ervay Street, St. Paul Street and Pacific Avenue adjacent to the Republic Center; and, **(2)** the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2480

Addendum addition 4: Authorize a participation agreement with ZOM Uptown I, Limited Partnership dba Trianon Apartments (ZOM Uptown) for the installation of pavement markings on McKinnon Street from Moody/Pearl Street to Randall Street - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2481

Addendum addition 5: An ordinance abandoning certain access and utility easements within the boundaries of a 5-acre tract of land owned by SDC Ewing Court, L.P. located near the intersection of Ewing Avenue and Winters Street, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the addendum addition consent agenda.

Assigned ORDINANCE NO. 26452

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2482

Addendum addition 6: Authorize a 5-year extension of the lease agreement with the County of Dallas for approximately 10,584 square feet of office space in the Dallas County Health and Human Services building located at 2377 Stemmons Freeway, fourth floor, to be used as a Women, Infants and Children Program clinic, office and training center for the period September 1, 2006 through August 31, 2011 - Not to exceed \$719,712 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2483

Addendum addition 7: Authorize **(1)** a thirty-six-month service contract, with two twelve-month renewal options, for the management, hosting and support services for the Human Resources Information System with the most advantageous proposers of four, USinternetworking, Inc. in the amount of \$1,580,000, and Deloitte Consulting Outsourcing LLC in the amount of \$1,803,801; and **(2)** a contract for the licensing of services and systems relative to a workforce management applicant tracking system with the most advantageous proposer of four, Government Jobs.com dba NeoGov in the amount of \$253,000 - Total not to exceed \$3,636,801 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that addendum addition consent agenda item 7 be considered as an individual item. Mayor Pro Tem Hill 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 moved to approve the item with the following amendment:

“Authorize (1) a thirty-six month service contract with two twelve-month renewal options, for the management and support services for the Human Resources Information system with the most advantageous proposer of four, Deloitte Consulting Outsourcing LLC in the amount of \$1,803,801; and (2) a month to month service contract, for up to twelve-months, with a thirty (30) day notice of intent to terminate without cause and without penalty for hosting services with the most advantageous proposer of four, Usinternetworking, Inc., in the amount of \$531,000; (3) a thirty-six month service contract with two twelve-month renewal options, for the licensing of services and systems relative to a workforce management applicant tracking system with the most advantageous proposer of four, Government Jobs.com dba NeoGov in the amount of \$253,000 – Total not to exceed \$2,587,801 – Financing: Current Funds (subject to annual appropriations)”

Motion seconded by Deputy Mayor Pro Tem Garcia and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2484

Addendum addition 8: Authorize membership in the Texas Cities for Clean Air Coalition (TCCAC) and a Participation Agreement and By-Laws between the City of Dallas and TCCAC - Not to exceed \$10,000 - Financing: Current Funds

Mayor Miller requested that addendum addition consent agenda item 8 be considered prior to consideration of the consent agenda and addendum addition consent agenda. There being no objection voiced to Mayor Miller's request, the city council considered addendum addition consent agenda item 8 prior to consideration of the consent agenda and addendum addition consent agenda.

After discussion, Mayor Miller called a recess of the city council at 9:57 a.m. as authorized by Chapter 551.071 of the Texas Open Meetings Act to discuss in closed session the legal issues associated with authorizing membership in the Texas Cities for Clean Air Coalition.

The Mayor reconvened the city council after the closed session at 10:04 a.m. No other matters were discussed during the closed session.

Councilmember Koop moved to approve the resolution.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Fantroy absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2485

Addendum addition 9: Authorize an excused absence for Carol Brandon, a member of the City Plan Commission for August 3, 17, and 24, 2006, for medical reasons in accordance with City Council policy and the provisions of Chapter 8 of the Dallas City Code - Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2486

Addendum addition 10: Authorize a real property tax abatement agreement with Eastpoint/Catron, LP for the purpose of granting a five-year abatement of 75 percent of the taxes on added value to the real property at Forney Road and Prairie Creek Road for a commercial warehouse distribution development - Revenue: First year revenue estimated at \$18,543; five-year revenue estimated at \$92,713 (Estimated revenue foregone for five-year abatement estimated at \$278,138)

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

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2487

Addendum addition 11: Authorize a rebate of development fees paid to the City in conjunction with Eastpoint/Catron, LP for improvements at Forney Road and Prairie Creek Road in a Texas Enterprise Zone - Not to exceed \$20,000 - Financing: Public/Private Partnership Funds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2488

Addendum addition 12: Authorize a public infrastructure cost participation agreement with Eastpoint/Catron, LP for the construction of public infrastructure to support the development of commercial/industrial space at Forney Road and Prairie Creek Road in a Texas Enterprise Zone - Not to exceed 30 percent of the cost or \$185,430 whichever is less - Total not to exceed \$185,430 - Financing: 2003 Bond Funds

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2489

Addendum addition 13: A resolution supporting non-stop service for American Airlines flights from Dallas/Fort Worth International Airport to Beijing, China beginning March 25, 2007 -  
Financing: No cost consideration to the City

Approved as part of the addendum addition consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2490

Addendum addition 14: Authorize Supplemental Agreement No. 8 to the contract with the Dallas Convention and Visitors Bureau, exercising the first of two five-year renewal options to extend the contract for convention facility promotion, advertising and tourism development services for the period of October 1, 2006 to September 30, 2011 - City's cost is estimated at \$11,000,000 annually for a total of \$55,000,000 - Financing: Convention and Event Services Current Funds (payment based on 32.6% of City's 7% hotel occupancy tax receipts)

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Miller, Thornton-Reese, Rasansky, absent when vote was taken; Natinsky absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2491

Addendum addition 15: First reading of the appropriation ordinances for the proposed FY 2006-07 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City

The following individuals address the city council regarding the budget:

Suzette Durham, 1249 Sleepy Hollow Dr.  
Wayne Meachum, 1707 Timbergrove  
Francis Munoz, 762 Havenwood  
Amechi McZeal, 9600 Forest Lane  
Fernando Romano, 2547 Bentley Ave.  
Benita Atterberry Burns, 505 Buttercup Trail, Mesquite, Tx  
Tatum Rodgers, 916 Wyndam, Duncanville, Tx

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Miller, Fantroy absent when vote was taken; Natinsky absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

SEPTEMBER 13, 2006

06-2492

Addendum addition 16: Authorize a sixty-month service contract, with one sixty-month renewal option, for the installation, maintenance and operation of an automated red light camera enforcement system with the most advantageous proposer of four - American Traffic Solutions, Inc. - Not to exceed \$12,792,530 - Financing: Costs are expected to be offset by revenues

The following individuals addressed the city council regarding the item:

Frank Harrison, 2828 N. Haskell  
Nina Vaca, 7964 Xavier Ct., representing ACS  
James Tuton, 7301 Wethersfield Rd, Phoenix, AZ , representing ATS

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Rasansky.

Councilmember Blaydes moved to substitute Councilmember Salazar's motion and approve the award of the contract for a period of five years to ACS for \$13,291,083.

Motion seconded by Councilmember Fantroy.

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Blaydes substitute motion to award the contract for a period of five years to ACS for \$13, 291,083.

Voting Yes:	[8]	Garcia, Medrano, Oakley, Chaney, Fantroy, Griffith, Blaydes, Koop
Voting No:	[5]	Hill, Thornton-Reese, Salazar, Rasansky, Hunt
Absent when vote was taken:	[1]	Miller
Absent:	[1]	Natinsky

Mayor Pro Tem Hill declared the motion adopted.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 13, 2006

EXHIBIT C

