

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

06-3350

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

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

ABSENT: [0]

The meeting was called to order at 9:26 a.m.

The city secretary announced that a quorum of the city council was present.

Mayor Miller asked all members of the city council and the audience to stand for a moment of silence.

Chelsea Jones, Talented and Gifted Magnet, 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 6:31 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, DECEMBER 13, 2006

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3351

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: Kevin Curfman, 712 Scottsburg Lane
SUBJECT: Crosswalk

SPEAKER: Wanda Carter, 8560 Park Lane.
REPRESENTING: South Dallas Cultural Center
SUBJECT: Delayed Renovation of Center

SPEAKER: Loris A. Beckles, 3640 Harry Hines Blvd.
REPRESENTING: South Dallas Cultural Center
SUBJECT: Miss the South Dallas Cultural Center

SPEAKER: Adrian Magallanes, 1507 Nomas Street
REPRESENTING: The Great Western Company
SUBJECT: Great Western Workers

SPEAKER: Rich Sheridan, 3022 Forest Lane
REPRESENTING: Homeless
SUBJECT: Christmas, the time for the Dallas homeless

OPEN MICROPHONE – END OF MEETING

SPEAKER: LaTrefe Adkins, 3227 Goldspire Dr.
REPRESENTING: South Dallas Cultural Center
SUBJECT: Renovation of South Dallas Cultural Center

SPEAKER: Janet Morrison, 1218 Caldwell St
SUBJECT: Construction delays at the South Dallas Cultural Center

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-3351

Page 2

SPEAKER: Tisha Crear, 1511 Ransey Ave.
REPRESENTING: South Dallas Cultural Center
SUBJECT: South Dallas Cultural Center

SPEAKER: Larry Smith, 3502 Morris St.
REPRESENTING: Smith Family & Neighbor
SUBJECT: Harassment by City Code Enforcement & non-response by City staff

SPEAKER: Rick Leggio, 4503 Reiger Rd.
SUBJECT: Policy

SPEAKER: David Herman Jr., 2518 White Wood Dr.
SUBJECT: South Dallas Cultural Center

SPEAKER: Alpha Thomas, 4100 S. Fitzhugh Ave
SUBJECT: The summer program at the South Dallas Cultural Center

SPEAKER: Claud Yeldell, 1624 S. Cornith St.
SUBJECT: Code Enforcement & City Code

SPEAKER: Froswa Booker- Drew, 2602 Hampton Dr., **Grand Prairie, TX**
REPRESENTING: South Dallas Cultural Center
SUBJECT: Renovation of the center

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

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption with Trinity River Plan

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3352

Item 1: Approval of Minutes of the November 8, 2006 City Council Meeting

Councilmember Oakley moved to approve the minutes.

Motion seconded by Councilmember Medrano and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3353

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-62 and addendum addition consent agenda items 1-26, were presented for consideration.

The city secretary announced the city manager had deleted consent agenda items 25, 34 and 60, from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary requested that consent agenda items 21, 32, and addendum addition consent agenda items 1 and 14 be considered as individual items to allow citizens to speak. Mayor Miller stated that consent agenda items 21, 32, and addendum addition consent agenda items 1 and 14 would be considered as an individual items later in the meeting to allow citizens to speak, there being no objection voiced to the city secretary's request.

Councilmember Medrano requested that consent agenda items 19, and 21, be considered as an individual items. Mayor Miller stated that consent agenda item 19, and 21, would be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Councilmember Salazar requested that consent agenda item 22 be considered as an individual item. Mayor Miller stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Councilmember Koop requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Councilmember Natinsky requested that consent agenda items 32, 47, and 48 be considered as individual items. Mayor Miller stated that consent agenda items 32, 47, and 48 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

Councilmember Rasansky requested that consent agenda items 10, 31, 47, 48, 55, and addendum addition consent agenda items 5, 6, 25, and 26 be considered as individual items.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-3353

Page 2

Mayor Miller stated that consent agenda items 10, 31, 47, 48, 55, and addendum addition consent agenda items 5, 6, 25, and 26 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 10, 19, 21, 22, 25, 31, 32, 34, 47, 48, 55, 60 and addendum addition consent agenda items 1, 5, 6, 14, 22, 25, and 26 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3354

Item 2: Authorize a professional services contract with Oglesby-Greene, Inc. for schematic design, design development, construction documents, bidding, construction administration services, surveying, and stormwater pollution prevention plan for the construction of a new pavilion and new site furnishings at Umphress Park located at 7700 Umphress - \$42,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3355

Item 3: **Frankford Road from Coit Road
to East City Limits**

Note: Item Nos. 3 and 4 must
be considered collectively.

Authorize a professional services contract with APM & Associates, Inc. to provide engineering services for paving, drainage, and water main improvements on Frankford Road from Coit Road to the east city limits - \$218,410 - Financing: 2003 Bond Funds (\$185,470), Water Capital Improvement Funds (\$32,940)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3356

Item 4: **Frankford Road from Coit Road
to East City Limits**

Note: Item Nos. 3 and 4 must
be considered collectively.

Authorize **(1)** an Interlocal Agreement with Collin County for design, right-of-way acquisition, and construction of paving, drainage, and water main improvements on Frankford Road from Coit Road to the east city limits in the amount of \$1,381,000; **(2)** the receipt and deposit of funds from Collin County in an amount not to exceed \$1,381,000; and **(3)** the establishment of appropriations in the amount of \$1,381,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$1,381,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3357

Item 5: Authorize a contract for the construction of a skate park, skate equipment with steel skate surface, chain link fencing, a drinking fountain, landscaping, and concrete walks at Lakeland Hills Park located at 2600 St. Francis - Escamilla Construction, Inc., lowest responsible bidder of seven - \$250,043 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3358

Item 6: Authorize a contract for the construction of a new pavilion, parking lot, security lighting, light tower, integral pavilion lighting, landscaping, and sidewalks at Opportunity Park located at 3105 Pine - MetalMan Design/Build Corporation, best value proposer of three - Not to exceed \$590,246 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3359

Item 7: Authorize a contract for the construction of a new parking lot at Northwood Park located at 8500 Royal Lane at Ashcroft - Texas Standard Construction, Ltd., lowest responsible bidder of seven - \$124,592 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3360

Item 8: Authorize a contract for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Group 03-608 (list attached) - Pipeworks Construction, L.L.C., lowest responsible bidder of five - \$830,508 - Financing: 1995 Bond Funds (\$19,752), 1998 Bond Funds (\$100,737), 2003 Bond Funds (\$469,118), Water Utilities Capital Improvement Funds (\$229,382), and Water Utilities Capital Construction Funds (\$11,519

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3361

Item 9: Authorize Supplemental Agreement No. 1 to the contract with HBC/Terracon for project management services for the stormwater quality improvements, Phase III, at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$49,200, from \$96,500 to \$145,700 - Financing: 2005 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3362

Item 10: Authorize an economic development loan agreement with ~~Hailu Ejigu Hai~~ Tak Enterprises, Inc. for architectural and engineering drawings, predevelopment costs, demolition and partial development financing to facilitate the construction of a mixed-use building at 5203 Bexar Street, located within the Neighborhood Investment Program Bexar Street Redevelopment Project - \$305,000 - Financing: 2005-06 Community Development Grant Reprogramming Funds

Corrected on the addendum to the agenda.

Councilmember Rasansky requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting agenda item 10 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Thornton-Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3363

Item 11: Authorize an additional payment to Dallas County for the City's share of construction costs associated with paving, drainage, water and wastewater main improvements on Singleton Boulevard from Hampton Road to Canada Drive - \$244,201 - Financing: Water Utilities Capital Improvement Funds (\$238,951), Water Utilities Capital Construction Funds (\$5,250)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3364

Item 12: Authorize payment to Dallas County for the City's remaining share of design, right-of-way acquisition, and construction of paving and drainage improvements on Mountain Creek Parkway from IH 20 to Spur 408 - \$3,509,825 - Financing: 1998 Bond Funds (\$466,801), 2003 Bond Funds (\$3,043,024)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3365

Item 13: Authorize payment to Dallas Area Rapid Transit for additional costs associated with the reconstruction of railroad crossings at eleven locations (list attached) - \$48,863 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3366

Item 14: **Mockingbird Plaza & Midtown/Central/** Note: Item Nos. 14 and 15 must
University Transit Oriented Development be considered collectively.

Authorize (1) an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Mockingbird Plaza and the Midtown/Central/University Transit Oriented Development in the amount of \$1,600,000, and (2) the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$1,600,000 - Total not to exceed \$1,600,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3367

Item 15: **Mockingbird Plaza & Midtown/Central/** Note: Item Nos. 14 and 15 must
University Transit Oriented Development be considered collectively.

Authorize a Participation Agreement with Prescott Realty Group and Southern Methodist University for design and construction of the Mockingbird Plaza and the Midtown/Central/University Transit Oriented Development - \$1,600,000 - Financing: Capital Projects Reimbursement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3368

Item 16: Authorize an increase in the contract with the Texas Department of Transportation for additional work on the Spring Valley Road tunnel project at U. S. Hwy. 75 - \$38,715, from \$276,314 to \$315,029 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3369

Item 17: A resolution authorizing the conveyance of a drainage easement and wastewater easement across City-owned land at Lake Ray Hubbard containing a total of approximately 37,066 square feet of land to the City of Rowlett located near the intersection of Liberty Grove and Merritt Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3370

Item 18: An ordinance closing a portion of Oak Lane at its intersection with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Build Out, Phase 1 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26514.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3371

Item 19: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Northwest Corridor Line Section (NW-1B) located near the intersection of Denton Drive and Sadler Circle (list attached) - Financing: No cost consideration to the City

Councilmember Medrano requested that consent agenda item 19 be considered as an individual item. Mayor Miller stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Medrano's request.

Later in the meeting agenda item 19 was brought up for consideration.

Councilmember Medrano moved to defer the item until January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar and unanimously adopted. (Thornton-Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3372

Item 20: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Gaston Avenue and Good Latimer Expressway, and Hatcher and Racell Streets (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3373

Item 21: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersections of Wyman Street and Denton Drive, Seelcco Street and Denton Drive, Love Field and Denton Drives and Community and Denton Drives (list attached) - Financing: No cost consideration to the City

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

The City Secretary requested that consent agenda item 21 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 21 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Later in the meeting agenda item 21 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Rick Gonzales, 4283 S. Cresthaven
William Foster, 4504 North Versailles
Wilma Avalos, 2318 Anson Rd.

Councilmember Medrano moved to defer the item until January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar and unanimously adopted. (Thornton-Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3374

Item 22: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 8 tracts of land for the construction of the Northwest Corridor Line Section (NW-3) located near the intersections of Northwest Highway and Denton Drive, Nagle Street and Denton Drive, and Walnut Hill Lane and Denton Drive (list attached) - Financing: No cost consideration to the City

Councilmember Salazar requested that consent agenda item 22 be considered as an individual item. Mayor Miller stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Later in the meeting agenda item 22 was brought up for consideration.

Councilmember Salazar moved to defer the item until January 24, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Thornton-Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3375

Item 23: 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 Southeast Corridor Line Section (SE-2) located near the intersections of Buckner Boulevard and Kipling Drive and Jim Miller Road and Rosemont Road (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3376

Item 24: Authorize the rejection of the bid submitted by Frank Harris in the amount of \$15,600 for a tax foreclosure property located at 2832 Marjorie Avenue to allow the former owner and occupant an opportunity to redeem the property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3377

Item 25: An ordinance abandoning a portion of Cedar Springs Road to Crescent Tower Residences, L.P., the abutting owner, containing approximately 3,511 square feet of land located near the intersection of Cedar Springs Road and Pearl Street, and authorizing the quitclaim - Revenue: \$263,325 plus the \$20 ordinance publication fee

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3378

Item 26: An ordinance abandoning a portion of a utility easement to 5345/5353 Beltline Partners, Ltd., the abutting owner, containing approximately 1,322 square feet of land located near the intersection of Beltline Road and Prestonwood Boulevard - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26515.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3379

Item 27: An ordinance closing and vacating portions of Leonard and Jack Evans Streets containing approximately 30,616 square feet of land located near their intersections with Flora Street for the construction of the Dallas Center for the Performing Arts - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26516.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3380

Item 28: A resolution authorizing the conveyance of a wastewater easement and temporary construction easement containing a total of approximately 240,278 square feet of land to the Trinity River Authority located near the intersection of Mountain Creek Parkway and Kiest Boulevard - Revenue: \$40,965

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3381

Item 29: Authorize the rejection of the bid submitted by Dan Spike in the amount of \$8,000 for a tax foreclosure property located at 2608 Silkwood Street that is needed for the proposed Phase II Bexar Street Redevelopment Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3382

Item 30: Authorize the purchase of software and hardware equipment for a peer-to-peer, wireless broadband network to enhance interoperable communications in emergency responses, from Packethop, Inc., through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program - Not to exceed \$105,000 - Financing: Department of Homeland Security, Urban Area Security Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3383

Item 31: Authorize a sixty-month service contract to provide professional auctioneer services at the City's auctions with the only bidder - Lone Star Auctioneers, Inc. - Estimated Annual Revenue: \$4,318,588 (City will receive all revenues from auction sales, estimated at \$4,564,060, less sales tax and contractor's commission, which are estimated to be \$245,472 annually)

Councilmember Rasansky requested that consent agenda item 31 be considered as an individual item. Mayor Miller stated that consent agenda item 31 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 31 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3384

Item 32: 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 - Star Polish, Ltd. - Estimated Revenue: \$451,250

Councilmember Natinsky requested that consent agenda item 32 be considered as an individual item. Mayor Miller stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Natinsky's request.

The City Secretary requested that consent agenda item 32 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 32 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

Later in the meeting agenda item 32 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Fernando Rodriguez, 13828 Waterfall Way
Sharon Overlay, 818 Pinday Dr. Grand Prairie, TX.
Gilbert Aranza, 3445 University, University, TX.
Frank Howell, 2010 Hill County Ct., Arlington, TX.
Dwight Hunter, 6 Melroy Circle, The Colony, TX.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Mayor Pro Tem Hill.

After discussion, Mayor Miller called the vote on Deputy Mayor Pro Tem Garcia's motion:

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

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3385

Item 33: Authorize a thirty-six-month service contract for grounds maintenance service at Pioneer Plaza with the lowest responsible bidder of two - Good Earth Corp. - Not to exceed \$149,247 - Financing: Convention and Event Services Current Funds.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3386

Item 34: Authorize a thirty-six-month service contract for temporary information technology professionals with the best value bidder of six - CIBER, Inc. - Not to exceed \$6,822,000 - Financing: Current Funds (subject to annual appropriations)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3387

Item 35: Authorize a thirty-six-month service contract renewal for the maintenance of the Citizen Request Management System with Motorola, Inc. - Sole Source - Not to exceed \$483,000 - Financing: Current Funds (\$322,000 subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3388

Item 36: Authorize an agreement for the maintenance of the existing equipment, software, and services on the phone switch serving the 9-1-1/3-1-1, and Water Customer Service Call Centers, and the existing hardware and software for the VESTA system that interfaces the phone switch to the computer aided dispatch system beginning October 1, 2005 - SBC-AT&T - Not to exceed \$252,904 - Financing: Current Funds.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3389

Item 37: Authorize an eighteen-month master agreement for Capital Improvement Program construction project signs with the lowest responsible bidder of four - Industrial Design & Production - Not to exceed \$193,625 - Financing: Current Funds (\$24,522), Water Utilities Capital Construction Funds (\$92,141), 1995 Bond Funds (\$54,440), 1998 Bond Funds (\$22,522)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3390

Item 38: Authorize a twenty-four-month master agreement for a web-based internet resource database service to assist the Dallas Police Department in locating individuals involved in criminal investigations, with ChoicePoint Business and Government Services, Inc. - Sole Source - Not to exceed \$120,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3391

Item 39: Authorize a twenty-four-month master agreement for hot mix asphalt and cold patch material for the repair of streets, alleys, and sidewalks, with the lowest responsible bidders of three - APAC-Texas, Inc. in the amount of \$8,131,827; Austin Asphalt, L.P. in the amount of \$180,403; and Unique Paving Materials Corp. in the amount of \$95,307 - Total not to exceed \$8,407,537 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3392

Item 40: Authorize the purchase of electronic devices to be used at major pump stations and meter vaults to remotely start and stop pump motors, open and close discharge valves, monitor discharge pressures, monitor flow reservoir levels and provide switchgear status and bearing temperature from QEI, Inc. - Sole Source - Not to exceed \$137,704 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3393

Item 41: Authorize settlement of a lawsuit, styled Michael Sears v. City of Dallas, Texas and Kim Thu Tang, Cause No. 05-10477-I - Not to exceed \$24,000 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3394

Item 42: Authorize settlement of a lawsuit, styled Juan Antonio Alvarez v. City of Dallas and Juan Delbosque, Cause No. 04-11318-D - Not to exceed \$25,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3395

Item 43: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services regarding the production of documents in connection with a federal grand jury subpoena and related matters - Not to exceed \$25,000, from \$50,000 to \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3396

Item 44: Authorize a fixed payment in lieu of payment for actual non-residential moving and related expenses for Darlene Clayton-Deckard, dba The Deckard Law Office, which was displaced as a direct result of real property acquisition of the property at 3131 N. Stemmons Freeway, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3397

Item 45: Authorize support for Kaufman County Municipal Utility Districts Nos. 2, 3, 4, 5, 6, and 7 in their effort to seek authorization from the Texas Legislature to issue tax exempt bonds to finance the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, and improvements of roads inside the boundaries of the municipal utility districts located in the City of Dallas' extraterritorial jurisdiction in Kaufman County south and east of Lake Ray Hubbard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3398

Item 46: Authorize an amendment to the City of Dallas' Public/Private Partnership Program to include Guidelines and Criteria for Residential Projects within the Central Business District governing tax abatement agreements as required by the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax Code, Chapter 312; the Act), and governing economic development grants in lieu of certain residential tax abatements pursuant to Chapter 380 of the Texas Local Government Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3399

Item 47: Authorize an agreement for a ten-year economic development grant in lieu of a tax abatement based on added value to real property located at 717 Leonard Street with Sky Lofts of Dallas L.P. pursuant to Public/Private Partnership Program Guidelines and Criteria in an amount not to exceed 90 percent of actual City real property taxes collected for ten years on the added value of the residential tower only - Financing: Public/Private Partnership Funds (Estimated first-year funding is \$282,616, based on anticipated real property tax revenues of \$314,017)

Councilmember Natinsky and Councilmember Rasansky requested that consent agenda item 47 be considered as an individual item. Mayor Miller stated that consent agenda item 47 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember's Natinsky and Rasansky's request.

Later in the meeting agenda item 47 was brought up for consideration.

Councilmember Natinsky moved to approve the item by adding Section F entitled, "Retail Restrictions" with the following: "No portion of the 45,000 square feet of retail space shall be operated as a nightclub. In addition, the Developer shall limit the use of the retail space in accordance with the classifications listed in **Exhibit H** attached hereto. Developer shall strictly adhere to the classifications for acceptable, conditional and undesirable uses as listed in **Exhibit H**. Further, unless the context unmistakably indicates otherwise, the definitions and interpretations contained in Chapter 51A of the Dallas City Code, as amended, shall be used construe these restrictions and classifications. All conditional classifications or uses not included in **Exhibit H** shall require approval of the City's Economic Development and Housing Committee and the City Council. All retail establishments shall provide a use and quality commensurate with the revitalization and improvement efforts being made downtown as described in the Downtown Connection TIF District Project and Financing Plan." In addition, the list of use was distributed to the City Council for review.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3400

Item 48: **Downtown Connection TIF District**

Authorize (1) a development agreement with Ervay Lofts L.P., to provide funding for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures for the redevelopment of the Butler Brothers Building located at 500 S. Ervay 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 for TIF-eligible expenditures - Not to exceed \$15,000,000 - Financing: Downtown Connection TIF District Funds

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

Later in the meeting agenda item 48 was brought up for consideration.

Councilmember Natinsky moved to approve the item by adding Section F entitled, "Retail Restrictions" with the following: "No portion of the 45,000 square feet of retail space shall be operated as a nightclub. In addition, the Developer shall limit the use of the retail space in accordance with the classifications listed in **Exhibit H** attached hereto. Developer shall strictly adhere to the classifications for acceptable, conditional and undesirable uses as listed in **Exhibit H**. Further, unless the context unmistakably indicates otherwise, the definitions and interpretations contained in Chapter 51A of the Dallas City Code, as amended, shall be used construe these restrictions and classifications. All conditional classifications or uses not included in **Exhibit H** shall require approval of the City's Economic Development and Housing Committee and the City Council. All retail establishments shall provide a use and quality commensurate with the revitalization and improvement efforts being made downtown as described in the Downtown Connection TIF District Project and Financing Plan." In addition, the list of use was distributed to the City Council for review.

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3401

Item 49: **Downtown Connection TIF District**

A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Ervay Lofts L.P., for eligible expenditures pursuant to the development agreement with Ervay Lofts L.P., in an amount not to exceed \$15,000,000 for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures related to the redevelopment of the Butler Brothers Building located at 500 S. Ervay 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

06-3402

Item 50: Authorize the reconstruction on-site of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 1422 Rowan Avenue - \$70,000 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3403

Item 51: Authorize a second amendment to the land bank contract with the Dallas Housing Acquisition and Development Corporation to **(1)** extend the term of the contract to September 30, 2007; **(2)** provide that the City may refer up to 300 parcels of real property for filing of tax lawsuits by March 31, 2007; and **(3)** provide pro bono legal services to prosecute the lawsuits during the extended term of the contract - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3404

Item 52: Authorize the Dallas Housing Finance Corporation's 2006 Single Family Bond Program plan of financing and issuance of one or two series of Dallas Housing Finance Corporation Tax-Exempt Single Family Mortgage Revenue Bonds, Series 2006, in an aggregate principal amount not to exceed \$14,377,022 to provide home mortgages for low- to moderate-income homebuyers - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3405

Item 53: Authorize acceptance of the FY 2006-07 Action Plan for 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

DECEMBER 13, 2006

06-3406

Item 54: Authorize the acceptance of a grant from The Meadows Foundation to purchase materials and equipment for a second bookmobile; and execution of the grant agreement - Not to exceed \$50,000 - Financing: 2006 Bookmobile Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3407

Item 55: An ordinance amending Chapter 2 of the Dallas City Code to authorize department heads or their designees to execute lien releases with permission of the City Manager and to provide for the recording of those releases - Financing: No cost consideration to the City

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

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

Councilmember Rasansky moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26517.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3408

Item 56: Authorize renewal of the membership with the North Central Texas Regional Certification Agency for certification services for the period of January 1, 2007 through December 31, 2007 - Not to exceed \$32,890 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3409

Item 57: Authorize **(1)** the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs in the amount of \$450,000 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2006 through September 30, 2009, **(2)** In-Kind contributions in the amount of \$291,031, and **(3)** execution of the grant agreement - Total not to exceed \$741,031 - Financing: U.S. Department of Justice Grant Funds (\$450,000) and In-Kind Contributions (\$291,031) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3410

Item 58: Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$60,000 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods, for the period December 13, 2006 through September 30, 2007; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$16,932; and **(3)** execution of the grant agreement - Total not to exceed \$76,932 - Financing: Current Funds (\$16,932) and Texas Department of Transportation Grant Funds (\$60,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3411

Item 59: Authorize Cooperative Working Agreements with Potter County District Attorney's Office in the amount of \$19,891, Lubbock County District Attorney's Office in the amount of \$19,891, Bowie County Sheriff's Department in the amount of \$19,891, Collin County Sheriff's Department in the amount of \$19,891, Collin County Sheriff's Department in the amount of \$19,891, Ellis County Sheriff's Department in the amount of \$19,891, and Taylor County Sheriff's Department in the amount of \$19,891, for the investigation, prosecution, education and counseling activities related to the Dallas Internet Crimes Against Children Task Force in response to the Internet related sexual exploitation of children, for the period October 1, 2006 through September 30, 2007 - Total not to exceed \$119,346 - Financing: Internet Crimes Against Children Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3412

Item 60: Authorize a forty-year contract with TXU Generation Company, LP, for untreated water service for the period January 1, 2007 through December 31, 2046 - Estimated Annual Revenue: \$2,415,208

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3413

Item 61: An ordinance amending the City of Dallas' Drought Contingency Plan and Chapter 49, SEC. 49-21.1., conservation measures relating to lawn and landscape irrigation, of the Dallas City Code which authorizes the City of Dallas Water Utilities Department to establish water conservation measures for retail customers in order to promote the efficient use of the City's water resources - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26518.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3414

Item 62: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Webb & Webb for additional legal services in connection with related matters involving representation of the City of Dallas on water rights pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$400,000, from \$400,000 to \$800,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3415

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 63-68 and addendum addition consent agenda item 27 were presented for consideration.

Agenda items 63, 65 and 67 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 63: Zoning Case Z056-270 (MF)~~ [considered individually]
Agenda item 64: Zoning Case Z056-321 (WE)
~~Agenda item 65: Zoning Case Z056-334 (WE)~~ [considered individually]
Agenda item 66: Zoning Case Z067-104 (JA)
~~Agenda item 67: Zoning Case Z056-296 (JH)~~ [considered individually]
Agenda item 68: Zoning Case Z056-312 (WE)

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

The following individual addressed the city council regarding the items:

William Hopkins, 2011 Leath St., (items 64 and 66)

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3416

Item 63: Zoning Case Z056-270 (MF)

The consent zoning docket, consisting of agenda items 63-68, were presented.

Councilmember Rasansky requested that consent agenda item 63 be considered as an individual item. Deputy Mayor Pro Tem Garcia 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.

A public hearing was called on zoning case Z056-270 (MF), an application for and an ordinance granting a Specific Use Permit for a Tattoo and Piercing Studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, located on the south side of Main Street, east of Good-Latimer Expressway

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

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

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

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

Assigned ORDINANCE NO. 26519.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3417

Item 64: Zoning Case Z056-321 (WE)

The consent zoning docket, consisting of agenda items 63-68, were presented.

A public hearing was called on zoning case Z056-321 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 910 for a public school on property zoned a TH-2(A) Townhouse District, located on the west side of Kelley Boulevard, north of Frankford Road

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

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26520.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3418

Item 65: Zoning Case Z056-334 (WE)

The consent zoning docket, consisting of agenda items 63-68, were presented.

Councilmember Rasansky requested that consent agenda item 65 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that consent agenda item 65 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 65 was brought up for consideration.

A public hearing was called on zoning case Z056-334 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1637 for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern on property zoned Planned Development District No. 619 for mixed uses with Historic Overlay No. 87, located on the northwest corner of Fourway Place and Main Street

(The city plan commission recommended approval subject to revised conditions)

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

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

Councilmember Hunt moved to close the public hearing and accept the recommendation of the city plan commission and approve the Special Use Permit, but amend the time limit to read: "This specific use permit shall automatically terminate on December 13, 2008, and pass the ordinance."

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

Assigned ORDINANCE NO. 26521.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3419

Item 66: Zoning Case Z067-104 (JA)

The consent zoning docket, consisting of agenda items 63-68, were presented.

A public hearing was called on zoning case Z067-104 (JA), an application for and an ordinance granting an Historic Overlay for the Mercantile Bank Tower on property zoned Planned Development District No. 619 at the northeast corner of Ervay Street and Commerce Street

(The city plan commission recommended approval, subject to preservation criteria)

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26522.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3420

Item 67: Zoning Case Z056-296 (JH)

The consent zoning docket, consisting of agenda items 63-68, were presented.

Councilmember Griffith requested that consent agenda item 67 be considered as an individual item. Deputy Mayor Pro Tem Garcia stated that consent agenda item 67 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Griffith's request.

Later in the meeting agenda item 67 was brought up for consideration.

A public hearing was called on zoning case Z056-296 (JH), an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 281, the Lakewood Special Purpose District, on property located on the west line of Abrams Road between Belmont Avenue and Richmond Avenue

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

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

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

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

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

Assigned ORDINANCE NO. 26523.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3421

Item 68: Zoning Case Z056-312 (WE)

The consent zoning docket, consisting of agenda items 63-68, were presented.

A public hearing was called on zoning case Z056-312 (WE), A City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the conditions and conceptual plan of Planned Development District No. 730 for mixed uses, located on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway and an ordinance granting the amendments and a resolution authorizing a variance to Dallas City Code, Section 43-62, prohibition against angled parking adjacent to public right-of-way

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26524.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3422

Item 69: Zoning Case Z056-212 (MF) 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 69 was brought up for consideration.

A public hearing was called on zoning case Z056-212 (MF), an application for a Specific Use Permit for a Commercial Vehicle Parking use on property zoned an IR Industrial Research District on the southeast corner of Vilbig Road and Seale Street

(The city plan commission recommended denial)

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

Juan Davila, 115 N. Justin

Appearing in favor of city plan commission's recommendation:

Joel Ayala, 2303 El Capitan Dr.
Deborah Carpenter, 2009 Neal

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3423

Item 70: Zoning Case Z056-236 (WE) INDIVIDUAL

A public hearing was called on zoning case Z056-235 (WE), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR Community Retail District located on the southeast corner of Simpson Stuart Road and South Lancaster Road

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

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

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

James Nolly Sr., 2424 Simpson Stuart, representing Cliffview Church of Christ

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

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

Assigned ORDINANCE NO. 26525.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3424

Item 71: Zoning Case Z056-281 (RB) INDIVIDUAL

A public hearing was called on zoning case Z056-281 (RB), an application for and an ordinance granting a Planned Development District for NO(A) Neighborhood Office District Uses on property zoned an R-10(A) Single Family District, located on the east line of Preston Road, north of Arapaho Road with consideration being given to an NO(A) Neighborhood Office District

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

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

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

Kirk R. Williams, 17318 Club Hill Dr. representing the applicant

Councilmember Natinsky moved to close the public hearing and accept the city plan commission with the following changes as shown in the revised portions of the ordinance distributed to the city council at this hearing:

- “- Require compliance with elevations. The elevations must specify type and color of brick and dimensions.
- Limit balconies to one balcony in the location shown on the development plan with a maximum floor area of 1,000 square feet.
- Limit detached signs to one monument sign not exceed seven feet in height with a maximum effective area of 20 square feet.
- Limit attached signs to the west façade, with a maximum of six signs, and a combined maximum effective area of 80 square feet.
- Prohibit special purpose sign
- Notification for minor amendments is required
- Limit development to one level
- Prohibit special exceptions
- Limit uses and accessory uses as shown.”

and pass the ordinance.

Motion seconded by Councilmember Rasansky.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-3424

Page 2

After discussion, Deputy Mayor Pro Tem Garcia called the vote on Councilmember Natinsky's motion with the changes as shown in the revised portion of the ordinance:

Voting Yes: [9] Garcia, Medrano, Thornton-Reese, Fantroy, Griffith, Koop,
Natinsky, Rasansky, Hunt

Voting No: [2] Oakley, Blaydes

Absent when vote taken: [4] Miller, Hill, Salazar, Chaney

Deputy Mayor Pro Tem Garcia declared the motion adopted.

Assigned ORDINANCE NO. 26526.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3425

Item 72: Zoning Case Z056-292 (TC) INDIVIDUAL

A public hearing was called on zoning case Z056-292 (TC), a City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay with consideration given to incorporating into Conservation District No. 15, the Vickery Place Conservation District, the following areas: the 5400 and 5500 blocks of Bonita Avenue; 5100, 5200, 5500, and 5600 blocks of Goodwin Avenue; 5200 block of Vickery Boulevard; 5200 block of Richard Avenue; 5200 and 5600 blocks of Miller Avenue; 5200, 5500, and 5600 blocks of Willis Avenue and an ordinance granting the amendments

(The city plan commission recommended approval, subject to an amended Exhibit A, an amended Appendix A of Exhibit C, and an amended Appendix B of Exhibit C with the exception of 2815 Greenville Avenue, 2901 Greenville Avenue, and 5627, 5631, 5635, and 5639 Goodwin Avenue)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3426

Item 73: Zoning Case Z056-322 (MF) INDIVIDUAL

A public hearing was called on zoning case Z056-322 (MF), an application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-1/2 ac.(A) Single Family District in an area bounded by Northaven Road, Strait Lane, Melissa Lane and Welch Road

(The city plan commission recommended approval)

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

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

Jerry M. Lewis III, 4737 Crooked Lane
Conrad Kasselmann, 4727 Crooked Lane

Councilmember Rasansky move to close the public hearing and accept the recommendation of the city plan commission granting Neighborhood Stabilization Overlay No. 1 (Northaven Estates) with the following changes:

"Lot 2 in City Block 2/6391 is to remain in Tract 1 with a minimum front yard setback of 60 feet."

and pass the ordinance.

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

Assigned ORDINANCE NO. 26527.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3427

Item 74: Zoning Case Z056-248 (RB) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-248 (RB), A City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the development plan and conditions for the Residential 2 and Residential 3 portions of Planned Development District No. 222 for Shopping Center District Uses on the north line of Frankford Road, west of Preston Road and an ordinance granting the amendments

Note: This item was considered by the City Council at a public hearing on November 8, 2006, and was taken under advisement until December 13, 2006, with the public hearing open.

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

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

Councilmember Natinsky moved to continue the public hearing and hold under advisement until the February 14, 2007 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3428

Item 75: Zoning Case Z056-234 (RB) UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-234 (RB), an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (inside) use limited to a Class A Dance hall on property zoned a CR Community Retail District located on the north line of Camp Wisdom Road, west of American Way

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

Note: This item was considered by the City Council at a public hearing on November 8, 2006, and was taken under advisement until December 13, 2006, with the public hearing open.

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

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

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

Assigned ORDINANCE NO. 26528.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3429

Item 76: DEVELOPMENT CODE AMENDMENTS

Consideration of amendments to the Plat Regulations, Article VIII, of Chapter 51A of the Dallas Development Code, delegating authority to the Subdivision Administrator to approve those plats, subdivisions, and replats of land within the corporate limits and extraterritorial jurisdiction of the city that are authorized to be delegated to city staff under Section 212.0065(a)(1) and (2) of the Texas Local Government Code with certain limitations, and amendments to the expiration date of approved plats where no progress has been made towards completion of the project as authorized by Texas Local Government Code Section 245.005 and an ordinance granting the amendments

(The city plan commission recommended approval)

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26529.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3430

Item 77: DEVELOPMENT CODE AMENDMENTS

Consideration of amendments to platting and zoning regulations in Chapters 51 and 51A of the Dallas Development Code, providing standards and procedures for the apportionment of municipal infrastructure costs; deleting the requirements for avigation easements and releases; amending corner clips and site easement requirements and amending city cost sharing provisions and an ordinance granting the amendments

(The city plan commission recommended approval)

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26530.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3431

Item 78: DEVELOPMENT CODE AMENDMENTS

Consideration of amendments to Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.401, 51A-4.401, 51A-8.403, and 51A-8.505; removing a general provision allowing a less restrictive building line than the zoning setback; providing a requirement that a preliminary plat application show all platted building lines and providing a standard for moving or removing a platted building line greater than the zoning setback line and an ordinance granting the amendments

(The city plan commission recommended approval)

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26531.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3432

**Municipal Setting Designation
at Lemmon Avenue East**

Note: Item Nos. 79 and 80 must
be considered collectively.

- Item 79: A public hearing to receive comments on a proposed municipal setting designation to prohibit use of groundwater beneath properties owned by Blackburn Central Holdings, L.P., Mario Messina, Jennifer Messina, and West Village 2004 PO Limited Partnership located at the intersection of McKinney Avenue and Lemmon Avenue East and adjacent street rights-of-way - Financing: No cost consideration to the City
- Item 80: An ordinance authorizing support of the issuance of a municipal setting designation to Blackburn Central Holdings, L.P., Mario Messina, Jennifer Messina, and West Village 2004 PO Limited Partnership 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

No one addressed the city council regarding the item.

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.”

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

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

Assigned ORDINANCE NO. 26532.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3433

Skillman Corridor TIF District

Note: Item Nos. 81 and 82 must
be considered collectively.

Item 81: A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to increase the geographic area of the Skillman Corridor TIF District boundary to include certain Richardson Independent School District (RISD) campuses to accommodate additional RISD programs and projects to be added to the final project and financing plan in accordance with RISD's participation in the District - Financing: No cost consideration to the City

Item 82: An ordinance amending Ordinance No. 26148 to increase the geographic area of the Skillman Corridor TIF District boundary to include certain Richardson Independent School District (RISD) campuses to accommodate additional RISD programs and projects to be added to the final project and financing plan in accordance with RISD's participation in the District - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 26533.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3434

Item 83: An ordinance **(1)** approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District); and **(2)** authorizing participation agreements with Dallas County and the Richardson Independent School District for the Skillman Corridor TIF District - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

William Hopkins, 2011 Leath St.

Councilmember Blaydes moved close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 26534.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3435

**FY 2006-07 Consolidated Plan
Reprogramming Budget #1**

Note: Item Nos. 84 and 85 must
be considered collectively.

- Item 84: A public hearing to receive comments on the proposed FY 2006-07 Consolidated Plan Reprogramming Budget #1 to provide Program Income for downtown condominium purchases, the acquisition and development for multi-family development, southern sector acquisition, demolition, and infrastructure and construction financing for housing, economic development and mixed-use development - Financing: No cost consideration to the City
- Item 85: Authorize adoption of Final 2006-07 Consolidated Plan Reprogramming Budget #1 to appropriate \$3,300,000 of Section 108 Intown Housing Program Income - Not to exceed \$3,300,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds

The following individual addressed the city council regarding the budget:

Kevin Felder, 8404 Capriola Dr.

Councilmember Thornton-Reese moved to close the public hearing and approve the budget.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3436

Item 86: 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 December 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 met all qualifications for service.

Councilmember Thornton-Reese moved to appoint Kenneth D. Martin, Dallas member, to the Reinvestment Zone Four Board (Cedars Area).

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

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

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

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

06-3476	CPC	CITY PLAN AND ZONING COMMISSION
06-3477	CPI	COMMISSION ON PRODUCTIVITY AND INNOVATION
06-3478	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
06-3479	RZ04	REINVESTMENT ZONE FOUR BOARD (CEDARS AREA)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3437

Item 87: Authorize **(1)** a 2-month holdover period through March 31, 2007; and **(2)** a third amendment to the lease agreement with Maher Properties Two, Ltd. to extend the lease for approximately 48,564 square feet of land for parking and approximately 10,300 square feet of medical office space located near Ewing Avenue and Eighth Street for the continued operation of the Oak Cliff Health Clinic for the period beginning upon the leasehold completion date through no later than ~~January~~ March 31, 2014 - Not to exceed \$484,795 - Financing: Current Funds (subject to annual appropriations)

Corrected on the addendum to the agenda.

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

Closed Session [06-3438; HELD]

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

- City of Coppell, Texas v. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C; City of Coppell, Texas, Coppell Independent School District v. CB Parkway Business Center VI, Ltd and Trammell Crow Company No. 43, Ltd., Cause No. 06-05249-C; Coppell Independent School District v. CB Parkway Business Center VI, Ltd., Cause No. 05-15967-E; In re City of Coppell, Texas, Cause No. 05-06-01462-CV; City of Dallas v. Doug Stover; Tim Brancheau; Jayne Peters; Briana Hinijosa-Flores; Marsha Tunnel; Billy Faugh; Thom Suhy; and Bill York; each in their respective individual capacity and official capacity as a member of the City Council of the City of Coppell, Cause No. 06-04617-J; City of Dallas v. Kathie Gautille, Cindy Warner, Bennett Ratliff, Susie Kemp, David Apple; Mike Arthur; Scott Orr; each in their respective individual capacity and official capacity as a member of the Coppell Independent School District Board of Trustees, Cause No. 05-06-01504-CV; City of Coppell v. CB Parkway Business Center, et al., Cause No. 05-06-00711-CV
- Jason Webb v. City of Dallas, Texas, Appeal No. 05-05-01621-CV
- City of Dallas v. Margaret Thompson, Supreme Court of Texas No. 05-0787
- Terrell Bolton v. City of Dallas and Teodoro Benavides, Cause No. 05-11141
- Legal issues relating to a tract or parcel of land situated in the A.J. Mannin Survey, Abstract 948, and being a part of Block 5623, City of Dallas, Dallas County, Texas, improved with a two level parking garage commonly known as the Preston Center Parking Garage
- Legal issues involving police retention pay
- Legal issues concerning professional services contract with Spiegel and McDiarmid

At 12:33 p.m. the Mayor announced the closed session of the city council authorized by Chapter 551, "OPEN MEETING," of the (Texas Open Meetings Act) to discuss the following matters:

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

- City of Coppell, Texas v. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C;

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

Closed Session [06-3438; HELD]

Page 2

- City of Coppell, Texas, Coppell Independent School District v. CB Parkway Business Center VI, Ltd and Trammell Crow Company No. 43, Ltd., Cause No. 06-05249-C; Coppell Independent School District v. CB Parkway Business Center VI, Ltd., Cause No. 05-15967-E; In re City of Coppell, Texas, Cause No. 05-06-01462-CV; City of Dallas v. Doug Stover; Tim Brancheau; Jayne Peters; Briana Hinijosa-Flores; Marsha Tunnel; Billy Faugh; Thom Suhy; and Bill York; each in their respective individual capacity and official capacity as a member of the City Council of the City of Coppell, Cause No. 06-04617-J; City of Dallas v. Kathie Gautille, Cindy Warner, Bennett Ratliff, Susie Kemp, David Apple; Mike Arthur; Scott Orr;
each in their respective individual capacity and official capacity as a member of the Coppell Independent School District Board of Trustees,
Cause No. 05-06-01504-CV; City of Coppell v. CB Parkway Business Center, et al.,
Cause No. 05-06-00711-CV
- Jason Webb v. City of Dallas, Texas, Appeal No. 05-05-01621-CV
 - City of Dallas v. Margaret Thompson, Supreme Court of Texas No. 05-0787
 - Terrell Bolton v. City of Dallas and Teodoro Benavides, Cause No. 05-11141
 - Legal issues relating to a tract or parcel of land situated in the A.J. Mannin Survey, Abstract 948, and being a part of Block 5623, City of Dallas, Dallas County, Texas, improved with a two level parking garage commonly known as the Preston Center Parking Garage
 - Legal issues involving police retention pay

The Mayor reconvened the city council after the closed session at 2:10 p.m. No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3439

Addendum addition 1: Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the design of street improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - \$176,195 - Financing: 2003 Bond Funds (\$158,335); Water Utilities Capital Improvement Funds (\$17,860)

The city secretary requested that addendum addition consent agenda item 1 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 1 would be considered as an individual item later in the meeting, there being no objection voiced to the city secretary s request.

Later in the meeting addendum addition consent agenda item 1 was brought up for consideration.

Councilmember Thornton-Reese moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3440

Addendum addition 2: Authorize an increase in the contract with CORE Construction, Inc., to provide for the relocation of water and wastewater lines for the South Central Police Station - \$136,036, from \$10,316,949 to \$10,452,985 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3441

Addendum addition 3: Authorize an increase in the contract with AUI Contractors, L.P. for the construction of pavement repair for the Dallas Center for the Performing Arts, utility infrastructure improvements, Phase 1 - Not to exceed \$217,375, from \$2,189,863 to \$2,407,238 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3442

Addendum addition 4: Authorize **(1)** an increase in the contract with Satterfield & Pontikes Construction, Inc. for the construction of the baggage claim renovation at Dallas Love Field to provide additional epoxy terrazzo flooring, installation of isolation valves in the mechanical system, escalator pit modifications, steel beam in the cart drive area, additional sidewalk demolition, and new roof drains, in the amount of \$101,605, from \$8,725,588 to \$8,827,193; and, **(2)** an increase in appropriations in the amount of \$101,605 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Total not to exceed \$101,605 - Financing: Aviation Capital Construction Funds (\$25,401), Federal Aviation Administration Airport Improvement Grant Funds (\$76,204)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3443

Addendum addition 5: Authorize Supplemental Agreement No. 1 to the development agreement with Top Dog - Oak Cliff, LP to increase the design and construction management reimbursables for the Lake Cliff Tower facility - Not to exceed \$392,381, from \$395,175 to \$787,556 - Financing: Oak Cliff Gateway TIF District Funds

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

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

Councilmember 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.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Thornton-Reese and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3444

Addendum addition 6: Authorize **(1)** an increase in the contract with Centex Construction, LLC for exterior restoration and shell construction at 1530 and 1524 Main Street in an amount not to exceed \$387,044, from \$7,405,802 to \$7,792,846; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; **(3)** an increase in appropriations in the amount of \$184,648 in the City Center TIF District Fund; and **(4)** a decrease in the payment to TIF Hotel, Inc. in an amount not to exceed (\$202,396) for design, reimbursables and construction management - Total not to exceed \$184,648 - Financing: City Center TIF District Funds

Councilmember Rasansky requested that addendum addition consent agenda item 6 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 6 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 6 was brought up for consideration.

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

Councilmember Hunt moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3445

Addendum addition 7: Authorize approval of the recommended plan for the proposed alignment of Routh Street from North Central Expressway (IH 345/US 75) to Ross Avenue, connecting the new Central Boulevard near Deep Ellum to the downtown Arts District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3446

Addendum addition 8: Authorize the deposit of a Special Commissioners' Award for acquisition from Latour Partners, L.P. of approximately 45,656 square feet of land located near the intersection of Main and St. Paul Streets for the Main Street Gardens Project - \$5,022,160 - Financing: 2003 Bond Funds (\$2,796,000), Capital Gifts and Donation Funds (\$2,226,160)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3447

Addendum addition 9: Authorize the deposit of a Special Commissioners' Award for acquisition from D and D Tan Enterprises, Inc. of approximately 7,401 square feet of land located near the intersection of Main and Harwood Streets for the Main Street Gardens Project - \$1,750,000 - Financing: 2003 Bond Funds (\$437,968), 1998 Bond Funds (\$1,312,032)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3448

Addendum addition 10: Authorize settlement in lieu of proceeding with condemnation for acquisition from James Walker of approximately 5,000 square feet of land located near the intersection of Harwood and Main Streets for the Main Street Gardens Project - \$1,500,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3449

Addendum addition 11: Authorize deposit of a Special Commissioners' Award for acquisition from Malouf Ranch and Livestock Company of a permanent water easement containing approximately 14 acres and a temporary construction easement containing approximately 9 acres located in Van Zandt County for the Lake Fork Water Pipeline Project - \$80,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3450

Addendum addition 12: Authorize settlement in lieu of proceeding with condemnation of TXU Electric Delivery Company for a tract of land containing approximately 100,056 square feet located near the intersection of St. Louis Street and Park Avenue for the proposed Homeless Assistance Center Project - \$50,000 - Financing: Homeless Assistance Facilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3451

Addendum addition 13: An ordinance abandoning a portion of street right-of-way and abandoning and relinquishing portions of a water and sanitary sewer easement and two utility easements to Wal-Mart Stores Texas, LP, the abutting owner, containing a total of approximately 18,710 square feet of land located near the intersection of Forest Lane and Abrams Road, and authorizing the quitclaim - Revenue: \$21,617 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26535.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3452

Addendum addition 14: Authorize a sixty-month service contract, with two twelve-month renewal options and minimum annual guarantee, for the collection of delinquent fines and fees for traffic, City ordinance and state law violations, excluding parking violations, with the highest responsible bidder of two - Linebarger Goggan Blair & Sampson, LLP - Estimated Revenue: \$48,001,926

The City Secretary requested that addendum addition consent agenda item 14 be considered as an individual item to allow citizens to speak. Mayor Miller stated that addendum addition consent agenda item 14 would be considered as an individual item later in the meeting there being no objection voiced to the City Secretary's request.

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

The following individuals addressed the city council regarding the item:

Patrick Swanick, 6505 Airport Blvd.
DeMetris A. Sampson, Representing Linebarger Goggan Blair and Sampson

Councilmember Thornton-Reese moved to approve the item.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3453

Addendum addition 15: Authorize a sixty-month concession contract, with two twenty-four-month renewal options, for operation of utility pay stations at the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center with the only proposer - Cliff's Check Cashing Stores, Inc. - Estimated Revenue: \$13,139

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3454

Addendum addition 16: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Guida, Slavich & Flores, P.C., for additional legal services necessary in the lawsuit styled Environmental Conservation Organization v. City of Dallas, Civil Action No. 3:03-CV-2951-M and in the administrative proceeding styled Administrative Order Docket Nos. CWA-06-2004-1911 and RCRA-06-2004-0907, issued February 6, 2004, which resulted in the entry of a Consent Decree in a subsequent lawsuit styled United States of America and the State of Texas v. City of Dallas, Civil Action No. 3:06-CV-0845-B, and any other matters relating to the subject matter of these lawsuits and administrative proceeding - Not to exceed \$350,000, from \$800,000 to \$1,150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3455

Addendum addition 17: Authorize final payment of additional attorney fees to Daniel & Beshara, P.C., in the amount of \$92,803 and additional expert fees to Dr. Robert K. Ham, Ph.D., in the amount of \$7,538 pursuant to a Court Order Granting Plaintiffs' Motion for Attorney Fees and Expert Fees dated November 27, 2006, in the lawsuit styled Harold Cox, et al. v. City of Dallas, et al., Civil Action No. 3:98-CV-0291-H - Not to exceed \$100,341 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3456

Addendum addition 18: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Munsch Hardt Kopf & Harr, P.C. for additional legal services needed to prepare a second follow-up report on the City's independent investigation of the "fake drug cases" - Not to exceed \$41,000, from \$100,000 to \$141,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3457

Addendum addition 19: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Spiegel & McDiarmid for additional legal advice and counsel concerning aviation law matters including the Wright Amendment and related matters - Not to exceed \$187,939, from \$150,000 to \$337,939 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3458

Addendum addition 20: Authorize rescinding Resolution No. 93-4570, previously approved on December 8, 1993, which established "A Policy Statement for Major Sports Celebrations" which requires in part that the City Council authorize (1) the planning of the Major Sports Celebration at least 45 days prior to the event; and (2) the plan for a Major Sports Celebration - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3459

Addendum addition 21: Authorize an Interlocal Agreement with Denton County for the reimbursement of costs associated with ambulance and related services within Denton County for the period of October 1, 2006 through September 30, 2007 - Revenue: \$11,923

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3460

Addendum addition 22: A resolution authorizing support of a pre-application waiver for Texas Department of Housing and Community Affairs's 9% low income housing tax credit financing for the acquisition and rehabilitation of the Carolina Chase Apartments, a 166-unit residential development located at 5351 Peterson Lane - Financing: No cost consideration to the City

Councilmember Koop requested that addendum addition consent agenda item 22 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Koop's request.

Later in the meeting addendum addition consent agenda item 22 was brought up for consideration.

Councilmember Koop moved to deny the application.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Miller, Medrano, Salazar, Chaney, Fantroy absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3463

Addendum addition 23: A resolution authorizing support of a pre-application waiver for a Texas Department of Housing and Community Affairs's 9% low income housing tax credit financing for the acquisition and new construction of the proposed Frazier Berean 150-unit residential development for seniors located at 3326 Mingo Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3464

Addendum addition 24: A resolution authorizing support of a pre-application waiver for Texas Department of Housing and Community Affairs's 9% low income housing tax credit financing for the acquisition and new construction of the proposed 130-unit Fiji residential development for seniors located at 201 Fran Way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3465

Addendum addition 25: Authorize post-judgment settlement of a lawsuit styled City of Dallas v. Inn at Market Center, L.P., CBP Enterprises HH, Inc., Mohamed Haque and Hira Panna Investments, Inc., Cause No. 03-07668, concerning the collection of delinquent hotel occupancy taxes, by accepting a payment of \$175,053 from defendant, Hira Panna Investments, Inc., in exchange for the City foregoing post-judgment interest and releasing the judgment lien, including the permanent injunction against Hira Panna Investments, Inc. for the hotel located at 4500 Harry Hines Boulevard - Revenue: \$175,053

Councilmember Rasansky requested that addendum addition consent agenda item 25 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 25 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting addendum addition consent agenda item 25 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3466

Addendum addition 26: Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for audit services of the City's financial operations and grant activities for the fiscal year ending September 30, 2005 in the amount of \$257,525, from \$460,975 to \$718,500, and **(2)** a twelve-month professional services contract with KPMG LLP to provide audit services of the City's financial operations and grant activities for the fiscal year ending September 30, 2006 in the amount of \$950,000 - Total not to exceed \$1,207,525 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition consent agenda item 26 be considered as an individual item. Mayor Miller stated that addendum addition consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3467

Addendum addition 27: DEVELOPMENT CODE AMENDMENTS

Consideration of amendments to Chapter 51 and 51A, the Dallas Development Code, amending Section 51-1.104.1 to forward the application provisions to Chapter 51A, amending Section 51A-1.104.1 to exempt applications for Neighborhood Stabilization Overlays and Conservation Districts from the requirements of this section to provide proof there are no delinquent taxes, fees, fines or penalties on property within the area of request and amending Section 51A-1.105 to set the property owner notification area for applications for Neighborhood Stabilization Overlays or Conservation Districts to 200 feet and an ordinance adopting the amendments

No one addressed the city council regarding the item.

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

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

Assigned ORDINANCE NO. 26536.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3468

Addendum addition 28: A public hearing to receive comments on the proposed closure and possible sale of the Southern Skates Skating Rink located at 2939 E. Ledbetter, which was financed by the Department of Housing and Urban Development's Community Development Block Grant and Section 108 Funds in the amount of \$1,000,000, with no alternative use for the facility at this time - 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.

Councilmember Chaney moved to continue the public hearing and keep the facility open and operating until the April 25, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Thornton-Reese.

Mayor Pro Tem Hill asked Councilmember Chaney if he would accept a friendly amendment to his motion to request that Councilmember Koop and C. W. Whitaker, President, Park and Recreation Board identify other recreational activities.

Councilmember Thornton-Reese who seconded the original motion also accepted Mayor Pro Tem Hill's friendly amendment.

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Chaney's motion as modified by his friendly amendment:

Voting Yes: [9] Hill, Garcia, Thornton-Reese, Salazar, Chaney, Griffith, Blaydes, Koop, Hunt

Voting No: [1] Natinsky

Absent when vote taken: [4] Miller, Medrano, Oakley, Fantroy

Abstain: [1] Rasansky

Mayor Pro Tem Hill declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3469

Addendum addition 29: Authorize a grant agreement with Jubilee Park and Community Center Corporation, a Texas non-profit corporation, for the purchase of seven surveillance cameras to be placed at certain locations within South Dallas/Fair Park targeted census tracts - \$96,000 - Financing: South Dallas/Fair Park Development Funds

Councilmember Chaney moved to deny the grant agreement with the Jubilee Park and Community Center Corporation for the purchase of seven surveillance cameras.

Motion seconded by Councilmember Thornton-Reese.

After discussion, Councilmember Thornton-Reese requested that her second to the motion be withdrawn.

Mayor Pro Tem Hill stated the second to the motion was withdrawn, there being no objection raised to Councilmember Thornton-Reese's request.

After further discussion, the motion was seconded by Councilmember Salazar.

Mayor Pro Tem Hill called the vote on Councilmember Chaney's motion to deny the grant agreement with the Jubilee Park and Community Center Corporation for the purchase of seven surveillance cameras:

Voting Yes: [2] Hill, Chaney
Voting No: [10] Garcia, Oakley, Thornton-Reese, Salazar, Griffith,
Blaydes, Koop, Natinsky, Rasansky, Hunt
Absent when vote taken: [3] Miller, Medrano, Fantroy

Mayor Pro Tem Hill declared the motion failed.

Councilmember Blaydes moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Garcia.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-3469

Page 2

After discussion, Mayor Pro Tem Hill called the vote on Councilmember Blaydes' motion to approve the item:

Voting Yes: [11] Hill, Garcia, Oakley, Thornton-Reese, Salazar, Griffith,
Blaydes, Koop, Natinsky, Rasansky, Hunt

Voting No: [1] Chaney

Absent when vote taken [3] Miller, Medrano Fantroy

Mayor Pro Tem Hill declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3470

Addendum addition 30: An ordinance amending Chapter 40B of the Dallas City Code to **(1)** prohibit secondary metals recyclers from purchasing regulated metal property from intoxicated persons; **(2)** require proof of authority to sell certain items of regulated metal property; and **(3)** update references to State law - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26537.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3471

Addendum addition 31:

Red Light Camera Enforcement System

Note: Item Nos. 31 and 32
must be considered collectively

Authorize a Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation to formally define the duties of each agency related to all aspects of roadway maintenance on state highways within the city limits - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the item.

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 Hunt voting "No". (Miller, Medrano, Chaney, Fantroy absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3472

Addendum addition 32:

Red Light Camera Enforcement System

Note: Item Nos. 31 and 32
must be considered collectively

Authorize an amendment to the Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation to authorize the City to operate red light camera enforcement systems at signals located on state highways (list attached) - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the item.

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 Hunt voting "No." (Miller, Medrano, Chaney, Fantroy absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3473

Addendum addition 33:

Fiji-Compton Project

Note: Item Nos. 33 and 34 must
be considered collectively.

Authorize (1) an Interlocal Agreement with the North Central Texas Council of Governments for design, right-of-way acquisition, and construction in the amount of \$2,811,986, (2) the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$2,811,986, and (3) an increase in appropriations in the amount of \$2,811,986 in the Capital Projects Reimbursement Fund - Total not to exceed \$2,811,986 - Financing: Capital Projects Reimbursement Funds

Councilmember Thornton-Reese moved to approve the item.

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

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3474

Addendum addition 34:

Fiji-Compton Project

Note: Item Nos. 33 and 34 must
be considered collectively.

Authorize (1) a Participation Agreement with Sphinx Development Corporation for design, right-of-way acquisition, and construction in the amount of \$3,514,983, and (2) payment to Sphinx Development Corporation for design of paving and drainage related infrastructure improvements - \$300,000 - Financing: 2003 Bond Funds (\$60,000), Capital Projects Reimbursement Funds (\$240,000)

Councilmember Thornton-Reese moved to approve the item.

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

.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

DECEMBER 13, 2006

06-3475

Addendum addition 35: A resolution authorizing an extension of Stage 1 of the Drought Contingency Plan for 120 days from October 11, 2006 to February 7, 2007 - Financing: No cost consideration to the City

Councilmember Thornton-Reese moved to approve the resolution.

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

.

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

EXHIBIT C