

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2006

06-0100

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 9:17 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.

The city council and the audience 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 2:56 p.m.

Mayor

ATTEST:

City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

1/30/2006 1:06 PM
G:\2006MIN\CC011106.DOC

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2006

EXHIBIT A

1/30/2006 1:06 PM
G:\2006MIN\CC011106.DOC

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2006

EXHIBIT B

1/30/2006 1:06 PM
G:\2006MIN\CC011106.DOC

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0101

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: Ozumba O. Lnuk-x, 4106 Vineyard Dr.
SUBJECT: Dallas Police and City employees

SPEAKER: Barbara Murphy, 1854 El Capitan
SUBJECT: Time period for railroad crossing at Garland Road & Barnes Bridge Road

SPEAKER: Peter Johnson, 7405 Flame Leaf
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

SPEAKER: William McElvaney, 12367 Montego Plaza
SUBJECT: Honoring Dr. Martin Luther King, Jr.

SPEAKER: Dewayne Dallas, 6266 St. Albans Dr.
SUBJECT: Mayor's profile projects & salary

OPEN MICROPHONE - END OF MEETING:

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

SPEAKER: Bonita Montgomery, 3017 High Plateau Dr., Garland
SUBJECT: Police Intervention

SPEAKER: John Matthews, 6647 Yosemite Ln.
SUBJECT: Honoring Dr. Martin Luther King, Jr.

SPEAKER: Laray Polk, 119 E. Greenbriar Ln.
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

1/30/2006 1:06 PM
G:\2006MIN\CC011106.DOC

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0101

Page 2

SPEAKER: Sherry Bolenbacher, 5444 Peterson Ln.
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

SPEAKER: Diane Baker, 7112 Stonetrail Dr;
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

SPEAKER: Melvin Wills, 411 W. Jefferson Blvd.
SUBJECT: Penal code enforce

SPEAKER: Heather Ware, 6138 Dry Creek Run, Poetry, TX
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

SPEAKER: Owen Ware, 6138 Dry Creek Run, Poetry, TX
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

SPEAKER: Carol Ware, 6138 Dry Creek Run, Poetry, TX
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

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

SPEAKER: Ronald Wright, 11308 Enrich, Balch Springs, TX
SUBJECT: April 4, 1967 (Riverside Church sermon by Dr. King, Jr.)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0102

Item 1: Approval of Minutes of the December 14, 2005 City Council Meeting

Councilmember Oakley moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0103

CONSENT AGENDA.

The consent agenda, consisting of agenda items 2-40 and addendum addition consent agenda items 1-9, were presented for consideration.

Councilmember Rasansky requested that consent agenda items 12, 15 and 49 and addendum addition items 4 and 8 be considered as individual items. Mayor Miller stated that consent agenda items 12, 15 and 49 and addendum addition items 4 and 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Blaydes 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 Blaydes' request.

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

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 10, 12, 15 and 49 and addendum additions items 4, 5 and 8 which would be considered later in the meeting.

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

Later in the meeting, Councilmember Blaydes moved to reconsider the consent agenda.

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

Councilmember Blaydes moved to place consent agenda item 10 back on the regular consent agenda and remove consent agenda item 24 from the consent agenda to be acted on individually.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

05-3468

Page 2

Councilmember Blaydes requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blaydes ' request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 12, 15, 24 and 49 and addendum additions items 4, 5 and 8 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0104

Item 2: Authorize a contract with “Eliseo” to fabricate and install a permanent artwork at the new Fire Station No. 35 located on Walnut Hill Lane between Midway Road and Marsh Lane - Not to exceed \$33,968 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0105

Item 3: Authorize a contract with Emmanuel Gillespie to fabricate and install an exterior mural at the entrance to the South Dallas Cultural Center located at 3400 South Fitzhugh - Not to exceed \$28,719 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0106

Item 4: Authorize a contract for security fence improvements and the installation of interior and exterior building cameras in the recreation center at Tommie M. Allen Park located at 7071 Bonnie View Road - VRT Investments, Inc., dba Sunnyvale Fence Company, lowest responsible bidder of two - \$213,930 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0107

Item 5: Authorize a contract for the construction of paving, storm drainage, water and wastewater improvements on Hillburn Drive from Courtney Street to Seco Boulevard - SYB Construction Company, Inc., lowest responsible bidder of six - \$909,935 - Financing: 2003 Bond Funds (\$751,585), Water Utilities Capital Construction Funds (\$4,900), Water Utilities Capital Improvement Funds (\$153,450)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0108

Item 6: Authorize a contract for the construction of street paving and storm drainage improvements on North Collette Avenue from Swiss Avenue to Sycamore Street to Live Oak Street - Camino Construction, L.P., lowest responsible bidder of six - \$443,346 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0109

Item 7: Authorize a contract for the reconstruction of Alley Group 03-2014 including alley paving, storm drainage and wastewater improvements - P & E Contractors, Inc., lowest responsible bidder of six - \$1,161,244 - Financing: 2003 Bond Funds (\$827,171), Water Utilities Capital Construction Funds (\$13,975), Water Utilities Capital Improvement Funds (\$320,098)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0110

Item 8: Authorize a contract for the construction of flood management improvements for McCree Branch at the Fieldcrest Drive Bridge - Jeske Construction Company, lowest responsible bidder of five - \$481,972 - Financing: 1995 Bond Funds (\$52,467), 2003 Bond Funds (\$340,147), Water Utilities Capital Improvement Funds (\$83,483), Water Utilities Capital Construction Funds (\$5,875)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0111

Item 9: Authorize a contract for the construction of water mains and the replacement or rehabilitation of wastewater mains at 15 locations - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - \$7,886,300 - Financing: Water Utilities Capital Improvement Funds (\$7,870,862), 2003 Bond Funds (\$15,438)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0112

Item 10: Authorize Supplemental Agreement No. 1 to the contract with Kimley-Horn and Associates, Inc. for construction documents, and bidding and construction administration services for the construction of a sprayground and playground at Lake Highlands North Park located at 9344 Church Road - \$33,400, from \$24,600 to \$58,000
- Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0113

Item 11: Authorize (1) an amendment to the contract with CST Environmental, Inc. to provide plaster repair on the ceilings of the Dallas Power and Light Building located at 1506-1512 Commerce Street; and (2) assignment of the contract to Hamilton DPL Development, Inc. for construction management - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0114

Item 12: Authorize a resolution of support for the continuation of the McKinney Avenue Trolley Extension Statewide Transportation Enhancement Program project - Financing: No cost consideration to the City

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

Later in the meeting, agenda item 12 was brought up for consideration.

Councilmember Hunt moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0115

Item 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 5 properties improved with single family homes containing a total of approximately 79,164 square feet of land located near the intersection of Creek Drive and Mapleshade Lane for the Upper McKamy Branch Flood Control Improvements Project - \$1,250,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0116

Item 14: A resolution declaring approximately 6,332 square feet of City-owned land unwanted and unneeded located near the intersection of Tyler Street and Nolte Drive and authorizing its advertisement for sale by sealed bids with a minimum bid of \$7,282 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0117

Item 15: An ordinance granting a private license to Travis at Knox, LP for the use of approximately 256 square feet of land to install and maintain a canopy over a portion of Travis Street right-of-way located near its intersection with Knox Street - Revenue: \$1,000 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 15 be considered as an individual item. Mayor Miller stated that consent agenda item 15 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 15 was brought up for consideration.

Councilmember Hunt moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26202.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0118

Item 16: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 10 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Good Latimer Expressway and Florence Street, Good Latimer Expressway and Swiss Avenue, Pacific and Parry Avenues, Central Expressway and Bryan Street, Trunk and 2nd Avenues, JB Jackson Jr. Boulevard and Oak Lane, Pacific Avenue and La France Street, Trunk and Peabody Avenues, and Trunk and Pennsylvania Avenues - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0119

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0120

Item 18: Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land from Don Dean, et al. for the construction of the Northwest Corridor Line Section (NW-1B) located near the intersection of Butler Street and Denton Drive cutoff - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0121

Item 19: Authorize the assignment of 2 lease agreements with The Humane Society of the United States, the current tenant, to the SPCA of Texas, Inc. containing a total of approximately 6,000 square feet of clinic space located at 4830 Village Fair Drive for the continued operation and maintenance of low cost spay/neuter and pet wellness clinics - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0122

Item 20: An ordinance granting a private license to Joseph McElroy III and Richard Patten for the use of approximately 240 square feet of land to maintain an existing dumpster and construct an enclosure for the dumpster on a portion of the 7th Street right-of-way located near its intersection with Edgefield Avenue - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26203.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0123

Item 21: Authorize an increase in the service contract with The Dallas Morning News for the continuation of publishing official notices and City advertising - Not to exceed \$174,462, from \$697,850 to \$872,312 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0124

Item 22: Authorize a twelve-month technical service support agreement for the maintenance of seventy-four LifePak 12 cardiac defibrillator/electrocardiogram monitors and fifty battery support systems for the period of February 1, 2006 through January 31, 2007 - Medtronic Physio-Control Corporation - Sole Source - Not to exceed \$60,210 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0125

Item 23: Authorize a twenty-four-month master agreement for water bill stock paper with the lowest responsible bidder of two - Berndt Business Forms, Inc. - Not to exceed \$147,420 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0126

Item 24: An ordinance granting a Planned Development District for MU-3 Mixed Use District uses on the north side of Forest Lane, west of Abrams Road subject to a development plan and conditions - Z045-287(DW) - Financing: No cost consideration to the City

Councilmember Blaydes requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blaydes' request.

Later in the meeting, agenda item 24 was brought up for consideration.

Councilmember Blaydes moved to defer the ordinance until the January 25, 2006 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0127

Cityplace Area TIF District

Note: Item Nos. 25 and 26 must be considered collectively.

- Item 25: * Authorize an amendment to Resolution No. 05-1164, previously approved on April 13, 2005, to increase tax increment funding under the development agreement with Gables Realty Limited for the design, professional services and construction of public improvements for Gables West Village, a mixed-use high-density project located at 3107 Blackburn Street between McKinney Avenue and Cole Avenue in Tax Increment Financing Reinvestment Zone Number Two, Cityplace Area TIF District - \$120,428, from \$434,571 to \$554,999 - Financing: To be advanced by a private developer and reimbursed with interest from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0128

Cityplace Area TIF District

Note: Item Nos. 25 and 26 must
be considered collectively.

- Item 26: * Authorize an amendment to Resolution No. 05-1165, previously approved on April 13, 2005 which declared the intent of Tax Increment Financing District Reinvestment Zone Number Two, (Cityplace Area TIF District) to reimburse Gables Realty Limited for the funds advanced pursuant to a development agreement between the City of Dallas and Gables Realty Limited to increase the amount of the project reimbursement by \$120,428 to a total amount not to exceed \$554,999 plus interest, for certain public improvements related to the development of the Gables At West Village II, a mixed-use high-density project located at 3107 Blackburn Street between McKinney Avenue and Cole Avenue in Tax Increment Financing Reinvestment Zone Number Two, Cityplace Area TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0129

Item 27: An ordinance (1) approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District); and (2) authorizing a participation agreement with Dallas County for the Southwestern Medical TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26204.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0130

Item 28: Authorize Supplemental Agreement No. 1 to the contract with AIDS Services of North Texas, Inc. to (1) include services to persons with HIV/AIDS in Ellis County, (2) provide staff for the scattered site Housing Opportunities for Persons with AIDS housing assistance program, and (3) increase the amount of the contract for the period October 1, 2005 through September 30, 2006 - Not to exceed \$92,949, from \$223,143 to \$316,092 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$86,869) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$6,080)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0131

Item 29: Authorize Supplemental Agreement No. 1 to the contract with Welcome House, Inc. to (1) include a new facility for the facility-based housing assistance program for persons with HIV/AIDS, and (2) increase the amount of the contract for the period October 1, 2005 through September 30, 2006 - Not to exceed \$68,000, from \$340,378 to \$408,378 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds (\$19,100) and 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (\$48,900)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0132

Item 30: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with Dallas County Health and Human Services to increase the amount of the contract for staff costs to provide scattered site housing assistance for persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$44,000, from \$1,372,810 to \$1,416,810 - Financing: 2005-06 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0133

Item 31: Authorize Supplemental Agreement No. 1 to the contract with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas to increase the amount of the contract to cover higher utility costs for facility-based housing assistance to persons with HIV/AIDS for the period October 1, 2005 through September 30, 2006 - Not to exceed \$75,000, from \$887,419 to \$962,419 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0134

Item 32: Authorize the reconstruction on-site of three homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1904 Shaw Street in the amount of \$70,000, 1531 Carson Street in the amount of \$70,000, and 1341 Barry Avenue in the amount of \$70,000 - Total not to exceed \$210,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0135

Item 33: Authorize all sales proceeds received by the Dallas Housing Acquisition and Development Corporation to be retained by the corporation for land acquisition and operating costs - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0136

Item 34: Authorize (1) amendments to the City of Dallas review criteria for multifamily project applications seeking City of Dallas approval for tax-exempt mortgage revenue bond and/or low income housing tax credits financing; (2) that applicants be required to submit a package along with an initial waiver fee of \$500 in addition to all other required fees for the approval process; and, (3) that the 120-day rule on moratoriums is not applicable to the approval of tax credit/tax-exempt bond projects - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0137

Homeland Security Grant Program

Note: Item Nos. 35 and 36 must
be considered collectively.

Item 35: * Authorize the acceptance of a grant from the U.S. Department of Homeland Security, under the 2004 Homeland Security Grant Program to fund the Metropolitan Medical Response System program to purchase equipment and services to prevent, respond to, and recover from acts of terrorism and natural disasters - Not to exceed \$400,000 - Financing: U.S. Department of Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0138

Homeland Security Grant Program

Note: Item Nos. 35 and 36 must
be considered collectively.

Item 36: * Authorize the acceptance of a grant from the U.S. Department of Homeland Security, through its agent, Governor's Division of Emergency Management, under the 2005 Homeland Security Grant Program to fund the Metropolitan Medical Response System program to purchase equipment and services to prevent, respond to, and recover from acts of terrorism and natural disasters - Not to exceed \$227,592 - Financing: U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0139

Item 37: Authorize (1) a public hearing to be held on February 8, 2006 to receive comments; and, at the close of the hearing, (2) consideration of the proposed use of a portion of Fair Park for the installation of the Dallas Area Rapid Transit light rail station at Fair Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0140

Item 38: Authorize (1) a public hearing to be held on February 8, 2006 to receive comments concerning the proposed use of a portion of the Elm Fork Greenbelt; and, at the close of the hearing, (2) consideration of the installation of a segment of the Trinity River Authority's Elm Fork Relief Interceptor to serve the Central Regional Wastewater System - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0141

Item 39: Authorize an Interlocal Agreement with the City of University Park to provide University Park with contingency waste disposal options under emergency conditions, for the period of January 1, 2006 through September 6, 2006, with five one-year renewal options - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 39 be considered as an individual item. Mayor Miller stated that consent agenda item 39 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 39 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0142

Item 40: Authorize Supplemental Agreement No. 1 to the contract with Groundwork Dallas, Inc. to provide additional services pursuant to the grant agreement with the U.S. Department of Interior National Park Service Groundwork USA previously approved on April 14, 2004 by Resolution No. 04-1250, providing assistance to communities impacted by brownfields and other derelict land issues to improve their quality of life and encourage economic regeneration through the development and stewardship of park land, recreation areas, nature reserves, trail systems and other environmental improvements in accordance with the requirements of the grant agreement - \$65,000, from \$25,000 to \$90,000 - Financing: U.S. Department of Interior National Park Service Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0143

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 41-52, were presented for consideration.

Agenda items 41, 44, 46, 47, 48, 50 and 51 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 41: Zoning Case Z045-275 (DW) [Considered individually]~~
Agenda item 42: Zoning Case Z045-303 (RB)
Agenda item 43: Zoning Case Z045-304 (JP)
~~Agenda item 44: Zoning Case Z045-305 (DW) [Considered individually]~~
Agenda item 45: Zoning Case Z045-306 (DW)
~~Agenda item 46: Zoning Case Z045-310 (WE) [Considered individually]~~
~~Agenda item 47: Zoning Case Z045-311 (MM) [Considered individually]~~
~~Agenda item 48: Zoning Case Z045-313 (MM) [Considered individually]~~
Agenda item 49: Zoning Case Z045-315 (MM)
~~Agenda item 50: Zoning Case Z056-101 (RB) [Considered individually]~~
~~Agenda item 51: Zoning Case Z056-102 (WE) [Considered individually]~~
Agenda item 52: Zoning Case Z056-103 (WE)

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

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

Gracie De La Rosa, 1814 Mapleton Dr., regarding consent zoning case #Z056-103 (WE)

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

John M. Fowler, 2001 Bryan St., representing the applicant, regarding consent zoning case #Z045-306 (DW)

The following individual addressed the city council regarding the consent zoning docket:

William Hopkins, 2011 Leath St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0143

Page 2

Deputy Mayor Pro Tem Garcia moved to close the public hearing, accept the recommendation of the city plan commission in the consent zoning cases and pass the ordinances, subject to a development plan and conditions and deed restrictions submitted by the applicant as presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0144

Item 41: Zoning Case Z045-275 (DW)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmember Hunt requested that consent zoning docket item 41 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 41 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, zoning docket item 41, was brought up for consideration.

A public hearing was called on zoning case Z045-275 (DW), an application for and an ordinance granting a Planned Development Subdistrict for HC Heavy Commercial uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of McKinney Avenue and St. Paul Street.

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

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

Councilmember Hunt moved to close the public hearing and follow the city plan commission recommendation for approval of this request with the following changes:

- “1. Parking structures with facades facing St. Paul Street, McKinney Avenue, and Harwood Street, must be either underground or have a façade consisting of any combination of pre-cast concrete (with or without stucco finish), stone, or metal finish provided that the metal finish matches design elements on the main structure for which parking is provided, and glass or louvers. Except for the garage entrances and exits, opening in these parking structure facades may not exceed 40 percent of the total parking structure façade area and must be concealed with louvers or enclosed with glass.
2. Sidewalks must be provided on the Property fronting on McKinney Avenue, Harwood Street, and St. Paul Street, with a minimum of five feet of parkway provided between the sidewalk and the curb. The McKinney Avenue and the Harwood Street sidewalk must be at least 10 feet wide, and the St. Paul Street sidewalk must be at least seven feet wide. The St. Paul Street sidewalk must be located at least two feet away from any building on the Property.

3. In this subdistrict, the following accessory uses are permitted accessory to a multifamily use, provided that these accessory uses are primarily for the use of the occupants of the building, are contained entirely within the main building, and have no exterior advertising or signs.

-- Community centers (private), specifically including, but not limited to such amenities as health studio areas, wine storage areas, hot tubs, pools, steamrooms, poolside refreshment areas, offices (e.g. business centers, internet cafés, etc.) theatres, pool tables, meeting rooms, and demonstration/party kitchens.

4. A lengthy list of main uses are prohibited as shown in the list provided to city council at this hearing.

(a) Subarea A.

(1) Except as provided in this subsection, the only main uses permitted in Subarea A are those main uses permitted in the HC Heavy Commercial Subdistrict, subject to the same condition applicable in the HC Heavy Commercial Subdistrict, as set out in Part I of this article. For example, as use permitted only by specific use permit (SUP) in the HC Heavy Commercial Subdistrict is permitted in this subarea only by SUP; a use subject to development impact review (DIR) in the HC Heavy Commercial Subdistrict is subject to DIR in this subarea; etc.

2. The following main uses are prohibited in Subarea A:

(A) Utility and services uses.

- Radio, television, or microwave tower.
- Telephone exchange, switching and transmitting requirement.

(B) Transportation Uses.

- Airport or landing field.
- STOL (short takeoff or land) port.
- Passenger bus station and terminal.
- Helicopter base.
- Heliport.
- Helistop.
- Railroad passenger station.
- Railroad team track.

(C) Community services uses.

- Adult day care facility.
- Halfway house.

(D) Medical uses.

- Hospital.
- Convalescent and nursing homes, hospice cares, and related institutions.
- Ambulance service.

(E) Educational uses.

- Business school.
- Technical school
- College, university, or seminary
- College fraternity or sorority house.
- College dormitory

(F) Recreation and entertainment uses.

- Carnival or circus (temporary).
- Wax museum.

(G) Bar and restaurant uses.

- Dance hall.

(H) Professional, personal service, and custom crafts uses.

- Trade center.
- Mortuary or funeral home.
- Commercial laundry or dry cleaning.
- Taxidermist.
- Broadcasting or recording studio.
- Commercial wedding chapel.

(I) Retail uses.

- Liquor stores.
- Feed stores.
- Pawn shop.

(J) Motor vehicle related uses.

- Automobile or motorcycle display, sales, and service (inside display).
- Automobile or motorcycle display, sales, and service (outside display).
- Auto auction.
- Auto glass, muffler, or seat cover shop.
- Auto parts sales (inside only).
- Auto parts sales (outside display)
- Auto repair garage (inside).
- Auto painting or body rebuilding shop (inside).
- Engine or motor repair shop.

(K) Commercial uses.

- Plumbing, electrical, air conditioning, and heating shops.
- Lumber, brick, or building materials sales yard.
- Tool and equipment rental (inside display only).
- Stone, sand, or gravel mining.
- Sand, gravel, or earth sales and storage.

(L) Storage and waste disposal uses.

- Warehouse
- Inside salvage and reclamation.

(M) Animal related uses.

- Farm or ranch.
- Veterinarian's office.
- Animal pound.

(N) Industrial and manufacturing uses.

- U-cart concrete system.
- Light fabrication and assembly.
- Clothing manufacturing.
- Bedspread, drapes, and headboard manufacturing.
- Manufacturing laboratory.
- Corrugated cardboard box fabrication.

(b) Subarea B. The only main uses permitted in Subarea B are required and non-required off-street and underground parking and local utilities. An aboveground parking garage is prohibited in Subarea B; and pass the ordinance.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0144

Page 5

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

Assigned ORDINANCE NO. 26206.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0145

Item 42: Zoning Case Z045-303 (RB)

Zoning Case Z045-303 (RB), an application for and an ordinance granting a Specific Use Permit for a Vehicle storage lot on property zoned a CS Commercial Service District, on the east line of South Central Expressway, south of Bateman Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26206.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0146

Item 43: Zoning Case Z045-304 (JP)

Zoning Case Z045-304 (JP), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an LI-D-1 Light Industrial District with a Liquor Control Overlay on the west side of Prairie Creek Road, north of Military Parkway.

(The city plan commission recommended approval, with the retention of the D-1 Liquor Control Overlay.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26207.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0147

Item 44: Zoning Case Z045-305 (DW)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmember Medrano requested that consent zoning docket item 41 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 41 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Medrano's request.

Later in the meeting, zoning docket item 44, was brought up for consideration.

A public hearing was called on zoning case zoning case Z045-305 (DW), an application for and an ordinance granting a Specific Use Permit for commercial amusement inside limited to a Dance Hall on property zoned a CS Commercial Service District, at the west corner of East Grand Avenue and St. Mary Avenue.

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

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

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

“To amend the hours of operation to read, “The commercial amusement (inside) use may only operate between 9:00 a.m. and 9:00 p.m. on Monday through Wednesday; between 9:00 a.m. and 2:00 a.m. (the next morning) on Thursday through Saturday; and between 12:00 p.m. (noon) and 2:00 a.m. (the next morning) on Sunday. The commercial amusement (inside) use may not operate after these hours even with a late hour permit.” and pass the ordinance.

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

Assigned ORDINANCE NO. 26208.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0148

Item 45: Zoning Case Z045-306 (DW)

Zoning Case Z045-306 (DW), an application for and an ordinance granting a Specific Use Permit for a private school and a private recreation center, club or area on property zoned an R-1ac(A) Single Family District and an NO(A) Neighborhood Office District, at the southwest corner of Hillcrest Road and Hillcrest Plaza Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26209.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0149

Item 46: Zoning Case Z045-310 (WE)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmembers Griffith and Rasansky requested that consent zoning docket item 46 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 46 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmembers Griffith and Rasansky's request.

Later in the meeting, zoning docket item 46, was brought up for consideration.

A public hearing was called on zoning case Z045-310 (WE), an application for and an ordinance granting a Planned Development District for a Branch YMCA and R-16(A) Single Family District uses and the termination of Specific Use Permit No. 50 for a Branch YMCA on property zoned an R-16(A) Single Family District, on the south line of Northaven Road, east of Midway Road.

(The city plan commission recommended approval of a Planned Development District, subject to a development plan, a landscape plan and conditions and approval of the termination of SUP No. 50.)

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

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

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

Dallas Cothrum, 900 Jackson, representing the applicant

Councilmember Rasansky moved to close the public hearing and follow the city plan commission recommendation for approval of this request with the following changes:

1. For private recreation center, club, or area; community service center; and child-care facility uses, fencing is required ~~[permitted]~~ at the ~~[maximum]~~ heights and locations shown on the development plan, and no other fencing is permitted.
2. For private recreation, center, club, or area; community service center; and child-care facility uses, only one monument sign is permitted: it may only be provided in the location shown on the development plan, with a maximum effective area of 40 square feet and may not be lighted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0149

Page 2

3. For private recreation center, club, or area, community center, and child-care facility, parking may be located in the required yards, subject to a setback of 35 [~~65~~] feet from Northaven Road” and pass the ordinance.

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

Assigned ORDINANCE NOS. 26210 and 26224.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0150

Item 47: Zoning Case Z045-311 (MM)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmember Hunt requested that consent zoning docket item 47 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 47 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Hunt's request.

Later in the meeting, zoning docket item 47, was brought up for consideration.

A public hearing was called on zoning case Z045-311 (MM), an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned a CR Community Retail District, south of the intersection of Haskell Avenue and Munger Avenue.

(The city plan commission recommended approval.)

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

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

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

Assigned ORDINANCE NO. 26211.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0151

Item 48: Zoning Case Z045-313 (MM)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmember Rasansky requested that consent zoning docket item 48 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 48 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket item 48, was brought up for consideration.

A public hearing was called on zoning case Z045-313 (MM), an application for and an ordinance amending and renewing Specific Use Permit No. 1490 for a private school on property zoned Planned Development District No. 623 for R-10(A) Single Family District uses on the southeast corner of the intersection of Royal Lane and Webb Chapel Road.

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

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

Councilmember Rasansky moved to close the public hearing and approve the amendments and renewal of SUP No. 1490 with the following changes:

- “1. Condition No. 8 requiring “No Parking Signs” will be retained.
2. The existing site plan will remain in effect” and pass the ordinance.

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

Assigned ORDINANCE NO. 26212.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0152

Item 49: Zoning Case Z045-315 (MM)

Zoning Case Z045-315 (MM), an application for and a resolution accepting amendments to existing deed restrictions on property zoned a CR Community Retail District, at the southeast corner of the intersection of Lovers Lane and Greenway Boulevard.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0153

Item 50: Zoning Case Z056-101 (RB)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmember Rasansky requested that consent zoning docket item 50 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 50 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket item 50, was brought up for consideration.

A public hearing was called on zoning Case Z056-101 (RB), an application for an amendment to the conceptual plan for Planned Development District No. 577 for a Vehicle display, sales, and service use and GO(A) General Office District Uses on the east line of North Central Expressway, south of Royal Lane with consideration being given to amending the conditions for PDD No. 577 and an ordinance granting an amendment to Planned Development District No. 577.

(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 Rasansky moved to close the public hearing and approve the amendments to Planned Development District No. 577 with the following change:

"1. Amend Section 51P-577-114(d) to read as follows:

- (d) Light standards may not exceed 12 feet in height, must be set back a minimum of 225 feet from the eastern property line, and must include a devise or fixture that directs the light away from adjacent property lines" and pass the ordinance.

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

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

Motion seconded by Councilmember Chaney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0153

Page 2

Councilmember Rasansky moved to close the public hearing and approve the amendments to Planned Development District No. 577 with the following changes:

“1. Add Section 51P-5711-114(d) to read as follows:

(d) If light standards are within 225 feet of the eastern property line, they may not exceed 12 feet in height and must have a devise or fixture that directs the light away from the eastern property lines”; and pass the ordinance.

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 26213.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0154

Item 51: Zoning Case Z056-102 (WE)

The consent zoning docket, consisting of agenda items 41-52, were presented for consideration.

Councilmember Rasansky requested that consent zoning docket item 51 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 51 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket item 51, was brought up for consideration.

A public hearing was called on zoning case Z056-102 (WE), an application for and an ordinance amending Planned Development District No. 620 for a private school and child-care facility, on the northeast corner of Northaven Road and Inwood Road.

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

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

Councilmember Rasansky moved to close the public hearing and approve the amendments to Planned Development District No. 620 with the following changes:

- “1. Add Subsection 51P-620-108(f) to read as follows:
 - (f) Lighting standards in the new off-street parking area must not exceed four feet in height and must be located as shown on the attached development plan (Exhibit 620B).
2. Add Subsections 51P-620-112(b) and (c) to read as follows:
 - (b) Fencing of the new off-street parking area must be provided as shown the attached landscape plan (Exhibit 620C).
 - (c) If the area identified as play field on Exhibit 620B is used as off-street parking, a six-foot-high solid brick fence must be provided along the south side of the parking area adjacent to Northaven Road and along the eastern property line with adequate landscaping”; and pass the ordinance.

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

Assigned ORDINANCE NO. 26214.

1/30/2006 1:06 PM
G:\2006MIN\CC011106.DOC

| OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0155

Item 52: Zoning Case Z056-103 (WE)

Zoning Case Z056-103 (WE), an application for and an ordinance amending the conceptual plan and conditions for Planned Development District No. 287 for the Dallas Arboretum & Botanical Garden, on the west line of Garland Road at Lakeland Drive .

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26215.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0156

Item 53: Public Hearing - Zoning Case Z045-158 (MM)

A public hearing was called on zoning case Z045-158 (MM), an application for a Specific Use Permit for a hotel or motel use on property zoned an RR Regional Retail District on the north side of Overton Road, west of Beckley Avenue and east of R.L. Thornton Freeway.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0157

Item 54: Public Hearing - Zoning Case Z056-106 (RB)

A public hearing was called on zoning case Z056-106 (RB), an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for an Industrial (outside) potentially incompatible use for a Concrete crushing plant on property zoned an IR Industrial Research District on the west line of Conveyor Lane, southwest of Inwood Road, and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval of the IM Industrial Manufacturing District subject to deed restrictions volunteered by the applicant and approval of the Specific Use Permit for an Industrial (outside) potentially incompatible use for a Concrete crushing plant for a one-year period with eligibility for automatic renewal for one additional one-year period, subject to a site 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:

Paul Baker, 4747 N. Central Expy., representing the applicant

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

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

Assigned ORDINANCE NOS. 26216 and 26217.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0158

Item 55: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive comments on street paving, storm drainage and water main improvements on Britton Avenue from E. McVey Avenue to E. Saner Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Camino Construction, L.P., lowest responsible bidder of eight - \$648,812 - Financing: 2003 Bond Funds (\$508,696), Water Utilities Capital Improvement Funds (\$136,666), and Water Utilities Capital Construction Funds (\$3,450)

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

Councilmember Thornton Reese moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contact.

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

Assigned ORDINANCE NO. 26218.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0159

Item 56: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive comments on sidewalk paving for Sidewalk Group 03-127, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Meztec Contractors, Inc., lowest responsible bidder of ten - \$98,909 - Financing: 2003 Bond Funds

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

Councilmember Thornton Reese moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

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

Assigned ORDINANCE NO. 26219.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0160

Item 57: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive comments on alley paving, storm drainage, water and wastewater main improvements and water adjustments on Alley Group 03-1119, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with VAS Engineering & Construction Company, lowest responsible bidder of five - \$500,765 - Financing: 2003 Bond Funds (\$191,190), Water Utilities Capital Improvement Funds (\$297,075) and Water Utilities Capital Construction Funds (\$12,500)

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

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

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

Assigned ORDINANCE NO. 26220.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0161

Item 58: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive comments on alley paving, storm drainage, water and wastewater main improvements on Alley Group 03-1120, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Jeske Construction Company, lowest responsible bidder of three - \$1,167,450 - Financing: 2003 Bond Funds (\$356,775), Water Utilities Capital Improvement Funds (\$776,475), and Water Utilities Capital Construction Funds (\$34,200)

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

Councilmember Medrano moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract, with the following changes:

“The assessment for 4931 Gaston Avenue shall be corrected by reducing the amount from \$771.19 to \$0.00 to reflect the deletion of two drive approaches that will not be constructed”; and pass the ordinance.

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

Assigned ORDINANCE NO. 26221.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0162

FY 2005-06 Urban Land Bank
Demonstration Program Plan

Note: Item Nos. 59 and 60 must
be considered collectively.

Item 59: * A public hearing to receive comments on a proposed amendment which adds properties to the current City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Item 60: * Authorize approval of a proposed amendment which adds properties to the current City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Albert Parker, 6819 Elam Rd.

Councilmember Chaney moved to close the public hearing and authorized the proposed amendment.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0163

Item 61: 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 January 11, 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.

The following individuals addressed the city council regarding the appointments to boards and commission:

Marvin Crenshaw, 5134 Malcolm X Blvd.
Tewana Tanner, 806 Bray St, Cedar Hill, TX

Councilmember Natinsky 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 Councilmember Koop and unanimously adopted.

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

06-1079 CPC CITY PLAN AND ZONING COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0164

Item 62: An ordinance abandoning a portion of Webb Chapel Road (formerly known as Lemmon Avenue) to the Dallas Independent School District, the abutting owner, containing approximately 44,922 square feet of land located near its intersection with Walnut Hill Lane, and authorizing the quitclaim - Revenue: \$210,010 plus the \$20 ordinance publication fee

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

Councilmember Salazar moved to pass the ordinance.

Motion seconded by Councilmember Chaney and unanimously adopted. (Blaydes abstain)

Assigned ORDINANCE NO. 26222.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0165

Item 63: An ordinance abandoning portions of Lancaster Avenue, Ninth Street and alleys to the Dallas Independent School District, the abutting owner, containing approximately 107,357 square feet of land located near the intersection of Lancaster Avenue and Ninth Street, and authorizing the quitclaim - Revenue: \$437,611 plus the \$20 ordinance publication fee

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

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26223.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0166

Item 64: Authorize an amendment to Resolution No. 05-0731 previously approved on February 23, 2005, to delete subsection (3) in Section 2 which states if the LURA does not require the social service expenditures to be made prior to debt service payment, a separate guarantee by an entity or individual acceptable to the City that the social service expenditures will be made for the Wahoo Frazier Townhomes apartment development located at 4700-4900 Hatcher proposed as 118 multifamily housing units comprised of 26 one-bedroom units, 52 two-bedroom units and 40 three-bedroom units by Wahoo Frazier, L.P. - Financing: No cost consideration to the City

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

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0167

Item 65: An ordinance abandoning subsurface and air rights under and over Alamo Street and under Houston Street to Icon Tower, LP, the abutting owner, containing approximately 463 square feet of land located near the intersections of Houston and Olive Streets and Alamo and Olive Streets, and authorizing the quitclaim - Revenue: \$11,066 plus the \$20 ordinance publication fee

Councilmember Rasansky moved to defer the ordinance until the January 25, 2006 voting agenda meeting of the city council.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0168

Closed Session

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

- Martin Perez v. City of Dallas, Cause No. 03-07533-E
- Zack Belton v. City of Dallas, Cause No. 04-12276-D
- City of Dallas v. Jesus Lopez, Cause No. 05-05-00448-CV
- City of Dallas v. Inn at Market Center L.P., et al., Cause No. 03-7668-I

A closed session was held as authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

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

- Martin Perez v. City of Dallas, Cause No. 03-07533-E
- City of Dallas v. Jesus Lopez, Cause No. 05-05-00448-CV
- City of Dallas v. Inn at Market Center L.P., et al., Cause No. 03-7668-I

The following item was made a part of the closed session:

Addendum Addition Item 4

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0169

Addendum addition 1: Authorize (1) a contract for the construction of streetscape improvements, water adjustments and lighting for the Gables at West Village Project located at 3107 Blackburn Street located in Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) with Texas Standard Construction, LLP., lowest responsible bidder of three, in an amount not to exceed \$224,357, (2) assignment of the construction contract to Gables Realty Limited for construction administration, and, (3) payment to Gables Realty Limited in an amount not to exceed \$54,900 for design, construction administration, testing and lighting - Total not to exceed \$279,257 - Financing: Cityplace TIF District Funds (advance from Gables Realty Limited to the Cityplace TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0170

Addendum addition 2: Authorize (1) a contract for the construction of streetscape improvements, water and wastewater adjustments and lighting for Gables at Cityplace West located at 3636 McKinney Avenue with Meztec Contractors, Inc., lowest responsible bidder of three, in an amount not to exceed \$328,496, (2) assignment of the construction contract to Gables Realty Limited for construction administration, and, (3) payment to Gables Realty Limited in an amount not to exceed \$54,000 for design, construction administration, testing and lighting - Total not to exceed \$382,496 - Financing: Cityplace TIF District Funds (advance from Gables Realty Limited to the Cityplace TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0171

Addendum addition 3: Authorize (1) a decrease in the contract with Andres Construction Services, LLC for selective demolition, historic facade improvements and other public improvements for the redevelopment of 1500 Jackson Street (Interurban Building) in the amount of (\$623,655), from \$5,852,070 to \$5,228,415; (2) assignment of the contract to Barker-Nichols, LLC for construction management under the terms of the existing development agreement; and, (3) payment to Barker-Nichols, LLC in an amount not to exceed \$576,331 for design, reimbursables and construction management - Total not to exceed (\$47,324) - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0172

Addendum addition 4: Authorize a first amendment to the lease with American Airlines, Inc. at Dallas Love Field to add approximately 5,422 square feet of terminal building space for an airline ticket counter, office, passenger queue space and baggage cart purposes and increase the annual rent in the amount of \$38,775, from \$356,270 to \$395,045 - Annual Revenue: \$38,775

Councilmember Rasansky requested that addendum addition 4 be considered as an individual item. Mayor Miller stated that addendum addition 4 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 4 was brought up for consideration.

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 511.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0173

Addendum addition 5: A resolution authorizing conveyance of a substation easement and an easement and right-of-way to TXU Electric Delivery Company containing a total of approximately 64,429 square feet of land at the Southside Wastewater Treatment Plant located near the intersection of Log Cabin and Belt Line Roads - Financing: No cost consideration to the City

Councilmember Griffith requested that addendum addition 5 be considered as an individual item. Mayor Miller stated that addendum addition 5 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, addendum addition 5 was brought up for consideration.

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

Councilmember Fantroy moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0174

Addendum addition 6: A resolution authorizing the sale of approximately 5,240 square feet of City-owned land located at Lake Ray Hubbard near the intersection of Chaha Road and IH 30 to the City of Garland - Revenue: \$41,920

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0175

Addendum addition 7: A resolution confirming the sale at public auction on December 8, 2005, of one 1995 Ford fuel truck, equipment number 953041, to Grove Truck & Equipment in the amount of \$26,000 and one 1994 GM off loader truck, equipment number 943024, to Coyote Environmental, Inc. in the amount of \$29,000 - Revenue: \$55,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0176

Addendum addition 8: Ratify the emergency purchase of security services used during the hurricanes Rita and Katrina relief efforts at the Dallas Convention Center and Reunion Arena - Initial Security - Not to exceed \$189,733 - Financing: Convention and Event Services Current Funds (to be fully reimbursed by the Federal Emergency Management Agency)

Councilmember Rasansky requested that addendum addition 8 be considered as an individual item. Mayor Miller stated that addendum addition 8 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 8 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0177

Addendum addition 9: Authorize Supplemental Agreement No. 3 to the professional services contract with Diversified Utility Consultants, Inc., for additional expert consulting services and testimony in matters related to the statement of intent of TXU Gas Company to change rates in the company's statewide gas utility system, Railroad Commission of Texas Gas Utilities Docket No. 9400 (consolidated) and Atmos Energy Corp. Mid-Tex Division's Dallas Show Cause Filing dated November 22, 2005 - Not to exceed \$50,000, from \$300,000 to \$350,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 11, 2006

06-0178

Addendum addition 10: Public Hearing - Zoning Case Z045-249 (RB)

A public hearing was called on zoning case Z045-249 (RB), an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-3 Mixed Use District on the southeast corner of Mockingbird Lane and North Central Expressway.

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

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

Councilmember Hunt moved to postpone the application and ordinance until the February 22, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Natinsky and unanimously adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 11, 2006

EXHIBIT C

1/30/2006 1:06 PM
G:\2006MIN\CC011106.DOC

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS