

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 25, 2006

06-0300

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 9:20 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 4:29 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.

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 25, 2006

EXHIBIT A

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 25, 2006

EXHIBIT B

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0301

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Albert Parker, 6318 Elam Rd.
SUBJECT: Spot Lighting A Dallas Citizen

SPEAKER: Roy Williams, 5881 Prestonview Rd.
REPRESENTING: Dallas County Green Party
SUBJECT: None use of discretionary funds

SPEAKER: Bob Bell, 2722 Bainbridge Dr.
SUBJECT: 819 Marsalis Avenue – Civil penalties

SPEAKER: Rick Callahan, 3546 Rockbluff Dr.
SUBJECT: Neighbor problem in regard to fence repair

SPEAKER: James Harvey, 8301 Orleans Ln., Ft. Worth, TX
SUBJECT: Impropriety within the City

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Ron Holland, 5111 Ash Ln.
SUBJECT: Historic Districts

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0302

Item 1: Approval of Minutes of the January 11, 2006 City Council Meeting

Councilmember Oakley moved to approve the minutes.

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0303

CONSENT AGENDA.

The consent agenda, consisting of agenda items 2-29 and addendum addition consent agenda items 1-7, were presented for consideration.

Councilmember Rasansky requested that consent agenda items 14, 16, 17, and 28 and addendum addition items 3 and 5 be considered as individual items. Mayor Miller stated that consent agenda items 14, 16, 17 and 28 and addendum addition items 3 and 5 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Hunt requested that addendum addition item 4 be considered as an individual item. Mayor Miller stated that addendum addition item 4 would be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Hunt's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 14, 16, 17, and 28 and addendum addition items 3, 4, and 5 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

January 25, 2006

06-0304

Item 2: Authorize a contract for the construction of a sprayground and playground at Lake Highlands North Park located at 9344 Church Road - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$645,972 - Financing: 1998 Bond Funds (\$295,500), 2003 Bond Funds (\$100,472), and Capital Gifts, Donation and Development Funds (\$250,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0305

Item 3: Authorize (1) a contract for Phase V site demolition at Lake Cliff Tower located at 329 E. Colorado Blvd., with HZH, Inc., only bidder, in an amount not to exceed \$73,260; (2) assignment of the contract to Top Dog - Oak Cliff, L.P. for construction management; and (3) payment to Top Dog - Oak Cliff, L.P. in an amount not to exceed \$20,000 for design, reimbursables and construction management - Total not to exceed \$93,260 - Financing: Oak Cliff Gateway TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0306

Item 4: Authorize Supplemental Agreement No. 3 to the professional services contract with Malcolm Pirnie, Inc. for engineering services to design and incorporate new security requirements into current water facility construction projects - \$762,482, from \$1,830,527 to \$2,593,009 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0307

Item 5: Authorize an increase in the contract with WHF Electrical Contractors, Inc. for work associated with the Southside Wastewater Treatment Plant process control system expansion - \$99,796, from \$7,335,000 to \$7,434,796 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0308

Item 6: Authorize (1) the receipt and deposit of funds from the abutting property owners in an amount not to exceed \$16,120 for the reconstruction of paving improvements on the alley between Allencrest Lane and Mendenhall Drive from Snow White Drive to Midway Road, being a part of Alley Group 03-2012, and (2) an increase in appropriations in the amount of \$16,120 in the Capital Projects Reimbursement Fund - Total not to exceed \$16,120 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0309

Item 7: Authorize the sale by quitclaim deed of approximately 807 square feet of land located at 2418 Grand Avenue acquired by the taxing authorities from a Sheriff's Sale to Dallas County - Revenue: \$372

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0310

Item 8: A resolution declaring approximately 4,232 square feet of undevelopable City-owned land unwanted and unneeded located near the intersection of Pearlstone and Hickory Streets and authorize its sale to James F. Rogers and Liquid Stone, Inc., the abutting owners - Revenue: \$30,000

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0311

Item 9: A resolution declaring a vacant City-owned lot unwanted and unneeded located at 2539 Custer Drive near its intersection with Cardinal Drive and authorize its private sale through the Land Transfer Program, a program for the sale of tax-foreclosed, seized and surplus property for the development of low and moderate income affordable housing to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization, and releasing non-tax liens totaling approximately \$415 - Revenue: \$1,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0312

Item 10: Authorize (1) the discharge of the secured, no-interest, forgivable note with The Bethlehem Foundation in the amount of \$25,000, and (2) the release of lien on real property located at 1159 W. Camp Wisdom Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0313

Item 11: Authorize a twelve-month service contract, with one twelve-month renewal option, for the printing of forms with the lowest responsible bidder of two - Visual Communications - Not to exceed \$517,117 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0314

Item 12: Authorize the purchase and installation of a replacement automated parking system for the Central Library garage from the lowest responsible bidder of two - Associated Time Instruments, Inc. - Not to exceed \$123,585 - Financing: Library Gifts and Donations Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0315

Item 13: Authorize a thirty-six-month master agreement for after-market automotive parts with the lowest responsible bidders of seven - Installer Sales & Service in the amount of \$1,401,387, Midway Auto Supply, Inc. in the amount of \$776,092, Star Automotive Warehouse, Inc. in the amount of \$108,663 and Brake & Clutch Service Company in the amount of \$243,821 - Total not to exceed \$2,529,963 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0316

Item 14: Authorize the purchase of 5 fire pumpers, 18 rescue units, 6 Battalion Chief vehicles, 2 aerial ladder trucks, and 2 Urban Search and Rescue Units from Tyler Motor Co. dba Hall Buick Pontiac GMC in the amount of \$1,933,758, Metro Fire Apparatus Specialists in the amount of \$3,864,246 and Beaumont Motor Company dba Classic Chevrolet in the amount of \$189,516 through the Houston-Galveston Area Council of Governments - Total not to exceed \$5,987,520 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes (\$3,153,762), Current Funds (\$1,933,758), 2005-06 Urban Area Security Initiative Grant Funds (\$550,000), Federal Emergency Management Agency Grant Funds (\$350,000)

Councilmember Rasansky requested that consent agenda item 14 be considered as an individual item. Mayor Miller stated that consent agenda item 14 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, consent agenda item 14 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0317

Item 15: Authorize a two-year contract to perform administrative, marketing, collection, disbursement and record keeping services for the City of Dallas Charitable Campaign with the most advantageous proposer of two - United Way of Metropolitan Dallas, Inc. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0318

Co-Financial Advisor Contracts

Note: Item Nos. 16 and 17 must be considered collectively.

Item 16: * Authorize a five-year professional services contract with First Southwest Company to serve as co-financial advisor and provide financial advisory and arbitrage computation services - Financing: Co-financial advisory fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale; arbitrage computation fees to be paid from Current Funds in an amount not to exceed \$80,000 annually; fees for advisory services not related to bond issuance to be paid from Current Funds in an amount not to exceed \$60,000 annually

Councilmember Rasansky requested that consent agenda item 16 be considered as an individual item. Mayor Miller stated that consent agenda item 16 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, consent agenda item 16 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Koop.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0319

Co-Financial Advisor Contracts

Note: Item Nos. 16 and 17 must be considered collectively.

Item 17: * Authorize a five-year professional services contract with Estrada Hinojosa & Company, Inc. to serve as co-financial advisor and provide financial advisory services - Financing: Co-financial advisory fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale; fees for advisory services not related to bond issuance to be paid from Current Funds in an amount not to exceed \$40,000 annually

Councilmember Rasansky requested that consent agenda item 17 be considered as an individual item. Mayor Miller stated that consent agenda item 17 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, consent agenda item 17 was brought up for consideration.

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Koop.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0320

Item 18: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Shannon, Gracey, Ratliff & Miller, L.L.P. for additional legal services necessary to represent the City of Dallas in the lawsuits styled Erubiel Cruz, et al. v. City of Dallas, et al., Cause No. 3:02-CV-0649-K, Joy L. Everett, et al. v. David Larsen, et al., Cause No. 3:04-CV-0192-K, and Jaime Chavez, et al. v. Mark Delapaz, et al., Cause No. 3:04-CV-0510-K - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0321

Item 19: An ordinance amending Chapter 2 of the Dallas City Code to provide timelines, requirements, and other procedures for filing notices of breach of contract claims against the city - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26225.

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0322

Item 20: Authorize Supplemental Agreement No. 1 to the consolidated professional services contract with the law firm of Joe C. Tooley, Attorneys and Counselors, for additional legal services and related expenses necessary for representation of the City of Dallas in the lawsuits styled Betty Jenkins v. City of Dallas, et al., Civil Action No. 3:03-CV-0810-K, and Jaime Chavez, et al. v. City of Dallas, et al., Civil Action No. 3:04-CV-0510-K - Not to exceed \$70,000, from \$250,000 to \$320,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0323

Item 21: Authorize adoption of a Clean Fleet Vehicle Policy in accordance with the request from the North Central Texas Council of Governments' Regional Transportation Council - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0324

Item 22: Authorize a resolution supporting a national Plug-In campaign to encourage the manufacturing of flexible-fuel plug-in hybrid vehicles - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0325

Item 23: Authorize (1) a public hearing to be held on February 8, 2006 to receive comments on amendments to the City Center TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to (a) increase the City's participation in the City Center TIF District from 61% to 90% beginning in the 2006 tax year, (b) shift funds among budget categories by decreasing Streetscapes in the amount of (\$2,197,095), Parking in the amount of (\$974,846), Public-use in the amount of (\$1,536,213), Public Plazas in the amount of (\$4,375,000), and increasing the Environmental Remediation/Demolition/Facade category in the amount of \$9,083,154, (c) define the use and disbursement of affordable housing funds, (d) amend the City Center TIF District boundary to exclude 1603 Commerce Street, 1607 Commerce Street, 1609 Commerce Street, 1616 Main Street, 1618 Main Street and 1622 Main Street (Neiman Marcus), (e) make corresponding modifications to the Plan and Ordinance Nos. 22802 and 23034 to implement such Plan amendments for the City Center TIF District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and at the close of the hearing, (2) consideration of an ordinance amending Ordinance Nos. 22802 and 23034 to reflect all such Plan amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0326

Item 24: Authorize the transfer of program income derived from the settlement of a lawsuit with Aviatar Global, Inc. in the amount of \$105,610 involving a U.S. Department of Housing and Urban Development Rental Rehabilitation Program multi-family housing loan for costs associated with salaries and benefits of existing staff of the City's Land Bank in 2006 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0327

Item 25: Ratify a Memorandum of Understanding between the Dallas NAFTA Trade Corridor Coalition and the Panama Canal Authority to promote trade routes between Asia and the North America Gulf Coast via the Panama Canal and Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0328

Item 26: Ratify a Friendship and Cooperation Protocol between the City of Dallas, the Port Authority of Topolobampo, the County of Ahome, and the Economic Development Council of Sinaloa to explore and develop a trade relationship centered on the movement of cargo from the Port of Topolobampo to destinations throughout the United States, using the City of Dallas and the Dallas NAFTA Trade Corridor as a primary point of entry into the United States - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0329

Item 27: Authorize application for an outdoor recreational grant in the amount of \$500,000 from the Texas Parks and Wildlife Department for the Trinity Interpretive Center for site recreational elements such as birding blinds, a children's discovery playground, and a field for athletic activities - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0330

Item 28: Authorize an Interlocal Agreement and Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period February 3, 2006 through February 2, 2007 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 28 be considered as an individual item. Mayor Miller stated that consent agenda item 28 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, consent agenda item 28 was brought up for consideration.

Councilmember Oakley moved to approve the item.

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

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0331

Item 29: Authorize an Interlocal Agreement between the City of Dallas, Trinity River Authority, North Texas Municipal Water District, and the Tarrant Regional Water District to evaluate the impacts of the Trinity River Basin environmental flows and inflows into the Galveston Bay on Trinity River Basin water rights - \$48,300 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0332

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 30-38, and addendum addition items 8-9, were presented for consideration.

Agenda items 30, 31, 32, 33, and 37 and addendum addition item 8 were removed from the consent zoning docket, to be considered as individual hearings.

~~Agenda item 30: Zoning Case Z045-297 (JP) [Considered individually]~~
~~Agenda item 31: Zoning Case Z045-314 (WE) [Considered individually]~~
~~Agenda item 32: Zoning Case Z056-115 (WE) [Considered individually]~~
~~Agenda item 33: Zoning Case Z056-116 (WE) [Considered individually]~~
Agenda item 34: Zoning Case Z056-117 (WE)
Agenda item 35: Zoning Case Z056-118 (MM)
Agenda item 36: Zoning Case Z056-124 (DW)
~~Agenda item 37: Zoning Case Z056-125 (RB) [Considered individually]~~
Agenda item 38: Zoning Case Z056-127 (DW)
~~Addendum addition 8: Zoning Case Z056-150 (JA) [Considered individually]~~
Addendum addition 9: Zoning Case Z056-147 (DC)

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

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

The following individual addressed the city council regarding zoning case Z056-117 (WE):

Joe Bowers, 520 Avenue H East, Arlington, TX, representing the applicant

Councilmember Thornton Reese 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 Hunt and unanimously adopted. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0333

Item 30: Zoning Case Z045-297 (JP)

The consent zoning docket, consisting of agenda items 30-38, and addendum addition items 8-9, were presented.

Councilmembers Rasansky and Hunt requested that consent zoning docket item 30 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 30 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmembers Rasansky and Hunt's request.

Later in the meeting, consent docket item 30 was brought up for consideration.

A public hearing was called on zoning case Z045-297 (JP), an application for and an ordinance granting a Planned Development Subdistrict for single family, multiple family and LC Light Commercial Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution accepting an avigation easement, release, indemnification disclosure agreement volunteered by the application on property generally bounded by Lemmon Avenue, Mahanna Street, City Limit line, Miles Street, Holland Avenue, Dorothy Street, Bowser Avenue, and Wheeler Street.

(The city plan commission recommended approval, subject to conditions, a conceptual plan, and an avigation easement, release, indemnification disclosure agreement volunteered by the applicant.)

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.

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

Gaston Shumate, 4667 Westside Dr., Highland Park

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

Frank Stich, 4224 N. Hall St.

Councilmember Hunt moved to close the public hearing and follow the city plan commission recommendation for approval of a planned development subdistrict with the following changes:

- “1. Delete the last sentence in Section S-67.103(c), which referred to Tract G being a residential subdistrict in relation to property across the street if certain conditions were met by the property across the street.
2. Add the following cap on the reduced parking for multiple-family uses in Tracts D,E, G, and H: “Notwithstanding the number of parking spaces required pursuant to Paragraphs (1) through (3), the minimum number of parking spaces provided for each phrase for each of these tracts may not be less than 90 percent of the number of parking spaces that would be required for a multiple-family use pursuant to Part I of this article.”
3. Delete the first sentence in Section S-67.112 (f), which was a requirement for six foot wide sidewalks.
4. If any portion of the Property is adjacent to a street or alley and the opposite side of that street or alley is adjacent to a city limit boundary, the property description in Section 1 of this ordinance shall be construed as including that portion of street or alley up to the adjacent city limit boundary” and pass the ordinance.

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

Assigned ORDINANCE NO. 26226.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0334

Item 31: Zoning Case Z045-314 (WE)

The consent zoning docket, consisting of agenda items 30-38, and addendum addition items 8-9, were presented.

Councilmember Rasansky requested that consent zoning docket item 31 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 31 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, consent docket item 31 was brought up for consideration.

A public hearing was called on zoning case Z045-314 (WE), an application for and a resolution accepting new deed restrictions volunteered by the applicant on property zoned a CS Community Service District with deed restrictions and a resolution terminating the existing deed restrictions, on the west line of St. Augustine Road, north of Military Parkway.

(The city plan commission recommended approval of the new deed restrictions volunteered by the applicant and approval of the termination of the existing deed restrictions.)

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 the city plan commission's recommendation.

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

Jonathan Vinson, 901 Main St., representing the applicant

Deputy Mayor Pro Tem Garcia moved to close the public hearing and accept the recommendation of the city plan commission.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0335

Item 32: Zoning Case Z056-115 (WE)

The consent zoning docket, consisting of agenda items 30-38, and addendum addition items 8-9, were presented.

Councilmember Medrano requested that consent zoning docket item 32 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 32 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, consent docket item 32 was brought up for consideration.

A public hearing was called on zoning case Z056-115 (WE), an application for and an ordinance granting a Specific Use Permit for a Vehicle Display, Sales and Service use on property zoned Subdistrict 1 of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east line of Industrial Boulevard between Cole Street and Howell Street.

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

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

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

Karl Crawley, 900 Jackson St., representing the applicant

Councilmember Medrano moved to close the public hearing and follow the city plan commission recommendation for approval of a specific use permit with the following changes:

- “1. The only use authorized by this specific use permit is a vehicle display, sales, and service use, limited to the sale of motorcycles.
2. HOURS AND TERMS OF OPERATION: The motorcycle sales use may only operate between 8:00 a.m. and 8:00 p.m., Monday through Saturday. No motorcycle service is permitted, and outside display or storage is prohibited.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-0335

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

Assigned ORDINANCE NO. 26227.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0336

Item 33: Zoning Case Z056-116 (WE)

The consent zoning docket, consisting of agenda items 30-38, and addendum addition items 8-9, were presented.

Councilmember Rasansky requested that consent zoning docket item 33 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 33 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, consent docket item 33 was brought up for consideration.

A public hearing was called on zoning case Z056-116 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1557 for a community service center on property zoned an MF-1(A) Multifamily District, on the west corner of Holly Hill Drive and Pineland Drive.

(The city plan commission recommended approval, for a two-year period with eligibility for automatic renewals for additional two-year periods, 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:

Kevin Kareem Nurani, 7317 Holly Hill Ln.

Councilmember Rasansky moved to postpone the application until the February 8, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0337

Item 34: Zoning Case Z056-117 (WE)

Zoning Case Z056-117-(WE), an application for and an ordinance granting a Specific Use Permit for a Mini-warehouse on property zoned an RR-D Regional Retail District with a Dry Liquor Overlay on the west line of Duncanville Road, northeast of Walton Walker Boulevard.

(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, landscape plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26228.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0338

Item 35: Zoning Case Z056-118 (MM)

Zoning Case Z056-118 (MM), an application for and an ordinance granting the renewal of Specific Use Permit No. 1500 for a vehicle display, sales, and service use on property zoned Planned Development District No. 629 for MU-3 Mixed Use District uses on the northeast corner of North Central Expressway and Bonner Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26229.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0339

Item 36: Zoning Case Z056-124 (DW)

Zoning Case Z056-124 (DW), an application for and an ordinance granting the renewal of Specific Use Permit No. 1439 for a child-care facility on property zoned an MF-2(A) Multifamily District on the south corner of Highland Road and Hunnicut Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26230.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0340

Item 37: Zoning Case Z056-125 (RB)

The consent zoning docket, consisting of agenda items 30-38, and addendum addition items 8-9, were presented.

Councilmember Rasansky requested that consent zoning docket item 37 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket item 37 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, consent docket item 37 was brought up for consideration.

A public hearing was called on zoning case Z056-125 (RB), an application for and an ordinance granting a Planned Development District for a Transit Passenger Station or transfer center and an MU-3 Mixed Use District on property zoned an IM Industrial Manufacturing District, an MU-3 Mixed Use District, and Planned Development District No. 269, the Deep Ellum Special Purpose District, on the southeast quadrant of Malcolm X Boulevard and Junius Street with consideration being given to granting a Specific Use Permit for a Transit Passenger Station or transfer center.

(The city plan commission recommended approval, of a Specific Use Permit for a Transit passenger station or transfer center for a permanent time period, subject to a site plan and conditions, in lieu of the requested Planned Development District.

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

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

Motion seconded by Councilmember Kopp.

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

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

Assigned ORDINANCE NO. 26231.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0341

Item 38: Zoning Case Z056-127 (DW)

Zoning Case Z056-127 (DW), an application for and an ordinance granting an amendment to Planned Development District No. 128 for hospital, office, and related uses on the northwest corner of Hampton Road and Perryton Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26232.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0342

Item 39: Public Hearing - Zoning Case Z045-107 (DW)

A public hearing was called on zoning case Z045-107 (DW), an application for an MU-3 Mixed Use District and a TH-3(A) Townhouse District on property zoned an A(A) Agricultural District and Planned Development District No. 387 for office, private recreation area, inside industrial, electrical generating plant, electric substation, educational facility, and restaurant uses with Specific Use Permit No. 953 for an electrical substation on a portion of the property north of Hackberry Road, east of Belt Line Road with consideration given to a Planned Development District for an MU-3 Mixed Use District uses and a TH-3(A) Townhouse District uses and an ordinance granting a Planned Development District for an MU-3 Mixed Use District uses and a TH-3(A) Townhouse District uses.

(The city plan commission recommended approval of a Planned Development District for MU-3 Mixed Use District uses with retention of Specific Use Permit No. 953 and TH-3(A) Townhouse District uses, subject to conditions and a conceptual plan in lieu of the requested zoning.

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

Robert H. Frielich, 515 S. Flower St., Los Angeles CA, representing City of Coppell
Beth Van Duyne, Mayor Pro Tem, City of Irving

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

Kirk Williams, 4100 Renaissance Tower, representing the applicant
Lucy Billingsley, 6701 Turtle Creek Blvd.

Councilmember Salazar moved to close the public hearing and approve the item subject to the revised conceptual plan showing the adjacent street network and access points, a copy of which has been provided to all city council members and pass the ordinance.

Motion seconded by Councilmember Natinsky and unanimously adopted.

Assigned ORDINANCE NO. 26233.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0343

Item 40: Public Hearing - Zoning Case Z056-111 (MM)

A public hearing was called on zoning case Z056-111 (MM), an application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and an R-7.5(A) Single Family District, with deed restrictions volunteered by the applicant, on the northwest corner of Crown Road and Newberry Street and an ordinance granting an IR Industrial Research District on the R-7.5(A) Single Family District portion.

(The city plan commission recommended approval of an IR Industrial Research District on that portion of the property zoned an R-7.5(A) Single Family District in lieu of the applicant's request for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant.

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

Councilmember Salazar moved to postpone the application until the February 8, 2006 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0344

Item 41: Public Hearing - Zoning Case Z045-214 (RB)

A public hearing was called on zoning case Z045-214 (RB), an application for and an ordinance granting a Specific Use Permit for a Mini-warehouse on property located within the S-10 Subdistrict of the South Zone of Planned Development District No. 521 for Mixed Uses on the west line of Clark Road, south of Camp Wisdom Road.

(The city plan commission recommended approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, landscape plan, and conditions.) Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open.)

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

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

Joe Bowers, 520 Avenue H East, Arlington, TX, representing the applicant

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

“ For a two-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, landscape plan, and conditions and a revised development plan” and pass the ordinance.

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

Assigned ORDINANCE NO. 26234.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0345

Item 42: BENEFIT ASSESSMENTS HEARING

A benefit assessment hearing to receive comments for street paving, storm drainage, water and wastewater improvements on South Chalmers Street from West Brooklyn Avenue to Gladstone Street, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing and pass the ordinance levying the assessments.

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

Assigned ORDINANCE NO. 26235.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0346

Item 43: BENEFIT ASSESSMENTS HEARING

A benefit assessment hearing to receive comments for street paving, storm drainage, water and wastewater improvements on Haines Avenue from Wickford Street to West Colorado Boulevard, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing and pass the ordinance levying the assessments.

Motion seconded by Councilmember Oakley and unanimously adopted.

Assigned ORDINANCE NO. 26236.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0347

Item 44: BENEFIT ASSESSMENTS HEARING

A benefit assessment hearing to receive comments for alley paving, storm drainage, water and wastewater improvements on Alley Group 03-1121, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City

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 for infrastructure improvements for Alley Group 03-112 with the following change:

“The assessment for 5645 Gaston Avenue shall be corrected by reducing the amount from \$4,993.48 to \$1,615.90 to reflect the deletion of the drive approach that will not be constructed” and pass the ordinance.

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

Assigned ORDINANCE NO. 26237.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0348

Item 45: FLOODPLAIN APPLICATION - UNDER ADVISEMENT

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 0.64 acres of land, zoned Single-Family Residential (R-10A), currently in the floodplain of McKamy Branch and located on the east side of Preston Road and on the north side of McKamy Branch, Fill Permit 05-10 - Financing: No cost consideration to the City. (Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open.)

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

No one addressed the city council regarding the floodplain application.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0349

Item 46: FLOODPLAIN APPLICATION - UNDER ADVISEMENT

A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 15.31 acres of a 32.06 total acre tract of land, zoned Light Industrial District, currently in the 100-year floodplain of the Trinity River located on Pemberton Hill Road, south of Elam Road and north of Loop 12 at the Trinity River, Fill Permit 05-07 - Financing: No cost consideration to the City. (Note: This item was considered by the City Council at a public hearing on December 14, 2005, and was taken under advisement until January 25, 2006, with the public hearing open.)

The following individual addressed the city council regarding the application:

Charles Allen, 304 Lyman Cir.

Councilmember Thornton Reese moved to postpone the application until the April 12, 2006 voting agenda meeting of the city council and to continue at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0350

Municipal Setting Designation at
6200 Denton Drive

Note: Item Nos. 47 and 48 must
be considered collectively.

Item 47: * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Manchester Investments, Inc. located at 6200 Denton Drive including the adjacent city street rights-of-way - Financing: No cost consideration to the City

Item 48: * An ordinance authorizing support of the issuance of a municipal setting designation to Manchester Investments, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6108(g)(3) of the Dallas Development Code, the applicant or a licensed representative of the applicant who is familiar with the application must be present and available to answer questions”.

The following individual addressed the city council regarding the item:

David Whitten, 750 N. St. Paul St., representing Manchester Investments, Inc.

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

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

Assigned ORDINANCE NO. 26238.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0351

Municipal Setting Designation at
6262 Cedar Springs Road

Note: Item Nos. 49 and 50 must
be considered collectively.

Item 49: * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Prescott Interests, Ltd. located at 6262 Cedar Springs Road including the adjacent street rights-of-way - Financing: No cost consideration to the City

Item 50: * An ordinance authorizing support of the issuance of a municipal setting designation to Prescott Interests, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6108(g)(3) of the Dallas Development Code, the applicant or a licensed representative of the applicant who is familiar with the application must be present and available to answer questions”.

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

The following individual addressed the city council regarding the item:

David Whitten, 750 N. St. Paul St., representing Prescott Interests, Ltd.

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

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

Assigned ORDINANCE NO. 26239.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0352

Municipal Setting Designation at
Woodall Rodgers and Routh

Note: Item Nos. 51 and 52 must
be considered collectively.

- Item 51: * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath approximately 10 acres of land owned by Crow-Billingsley #17, Ltd. and Billingsley Arts Partners, Ltd. located near Woodall Rodgers Freeway and Routh Street including the adjacent street and alley rights-of-way - Financing: No cost consideration to the City
- Item 52: * An ordinance authorizing support of the issuance of a municipal setting designation to Crow-Billingsley #17, Ltd. and Billingsley Arts Partners, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

The city secretary read the following statement into the record:

“Pursuant to Section 51A-6108(g)(3) of the Dallas Development Code, the applicant or a licensed representative of the applicant who is familiar with the application must be present and available to answer questions”.

The following individual addressed the city council regarding the item:

David Whitten, 750 N. St. Paul St., representing Crow-Billingsley, #17, Ltd. and Billingsley Arts Partner, Ltd.

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

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

Assigned ORDINANCE NO. 26240.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0353

Item 53: 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 25, 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 Blaydes moved to appoint Mary L. Macias, Citizen-At-Large, and Stephanie Valdez, Mexican/Hispanic Bar Association, to the Judicial Nominating Commission, and Charlton Marshall Gulley, Senior, Seagoville High School, to the Youth Commission.

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

Councilmember Natinsky moved to reappoint J. Jan Collmer, to the Dallas Fort Worth International Board.

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

Councilmember Oakley moved to appoint Joseph Hernandez, vice chair, to the Landmark Commission.

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

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

06-0370 DFW DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD
06-0371 JNC JUDICIAL NOMINATING COMMISSION
06-0372 YAC YOUTH COMMISSION
06-0373 Board Officers

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0354

Item 54: 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 moved to approve the ordinance.

Motion seconded by Councilmember Fantroy.

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

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

Assigned ORDINANCE NO. 26241.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0355

Item 55: 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 Blaydes moved to approve the ordinance.

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

Assigned ORDINANCE NO. 26242.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0356

Addendum addition 1: Authorize an increase in the contract with Gibson and Associates, Inc. for the construction of additional bridge repairs and improvements to the Marsalis Avenue Bridge over Cedar Creek - \$133,804, from \$1,262,307 to \$1,396,111 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0357

Addendum addition 2: Authorize a first amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to extend the lease at the East Dallas Health Center located at 3320 Live Oak Street, to be used for the Women, Infants and Children Program for the period February 1, 2006 through June 14, 2006 (\$3,825 monthly for a total of \$17,213); June 15, 2006 through June 14, 2007 (\$3,882 monthly for a total of \$46,584); June 15, 2007 through June 14, 2008 (\$3,938 monthly for a total of \$47,256); June 15, 2008 through June 14, 2009 (\$3,994 for a total of \$47,928); June 15, 2009 through June 14, 2010 (\$4,050 for a total of \$48,600); June 15, 2010 through June 14, 2011 (\$4,107 for a total of \$49,284) - Total not to exceed \$256,865 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0358

Addendum addition 3: Authorize a 24-month lease agreement, with one 3-month renewal option, with Homer J. Rader, Jr., for approximately 28,000 square feet of space located at 901 South Ervay Street to be used as the Day Resource Center for the period February 1, 2006 through April 30, 2008 - Not to exceed \$471,904 - Financing: Current Funds (subject to annual appropriations)

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

Later in the meeting, addendum addition 3 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 Salazar moved to approve the item.

Motion seconded by Councilmember Medrano.

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

Mayor Miller declared the motion adopted on a voice vote, with Councilmember Blaydes voting "No". (Rasansky abstain; Hill, Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0359

Addendum addition 4: Authorize a service contract for citizen survey and comparative data analysis services to collect citizen opinions regarding City of Dallas services and comparing those services and citizen opinions with other major cities - National Research Center, Inc. - Sole Source - Not to exceed \$50,000 - Financing: Current Funds

Councilmember Hunt 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 Hunt's request.

Later in the meeting, addendum addition 4 was brought up for consideration.

Councilmember Hunt moved to approve the item, with the following change:

“Change the contract amount from \$50,000 to \$52,380”

Motion seconded by Councilmember Koop.

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

Mayor Miller declared the motion adopted on a voice vote, with Councilmember Fantroy voting “No”. (Hill, Thornton Reese absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0360

Addendum addition 5: Authorize an increase in the twelve-month master agreement with Lynn Smith Chevrolet for twenty-one additional police squad cars in the amount of \$367,080, and Baby Jack II Automotive LTD for eleven additional police squad cars in the amount of \$208,879 - Total not to exceed \$575,959, from \$15,196,914 to \$15,772,873 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes (\$385,920), 2004 Equipment Acquisition Contractual Obligation Notes (\$190,039)

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting, addendum addition 5 was brought up for consideration.

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0361

Addendum addition 6: Authorize settlement of a lawsuit styled City of Dallas v. Beazer Homes Texas, L.P., Cause No. 04-12777-G, paying Beazer Homes Texas, L.P. (Beazer) the sum of \$200,000 in exchange for Beazer recording in the deed records of Dallas County, Texas, a disclosure notifying future property owners in Beazer's development of the existence and proposed future use of Hensley Field by fixed wing aircraft - Not to exceed \$200,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0362

Addendum addition 7: Authorize adoption of the revised Attendance Incentive Leave Program, effective April 1, 2006, to extend leave benefits previously granted to uniformed Police employees to uniformed Fire employees and civilians; and ensure that accumulation does not exceed a maximum of six days - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0363

Addendum addition 8: Zoning Case Z045-222 (WE)

The consent zoning docket, consisting of agenda items 30-38 and addendum additions 8-9, were presented.

Councilmember Hunt requested that addendum addition 8 be removed from the consent zoning docket addendum addition item 8 to be called as an individual hearing. Mayor Pro Tem Hill stated that consent zoning docket addendum addition item 8 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 addendum addition item 8 was called up for consideration.

A public hearing was called on zoning case Z045-222 (WE), an application for and an ordinance granting an amendment to Tract 4 for personal service uses in Planned Development Subdistrict No. 1 for office, surface parking and MF-2 Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south corner of Hall Street and Reagan Street.

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

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

Frank Stich, 4224 N. Hall St.

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

Dean Weaver, no address given, representing the applicant

Councilmember Hunt moved to close the public hearing and approve the amendments to Planned Development Subdistrict No. 1 of Planned Development District No. 193 with the following changes:

- “1. Limit the barber and beauty shop use to the first story of a structure in Tract 4 only.
2. Limit premise signs for a barber and beauty shop use to a monument sign not to exceed four feet in height.

Motion seconded by Deputy Mayor Pro Tem Garcia.

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06-0363

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After discussion, Mayor Pro Tem Hill called the vote on the motion:

Voting Yes:	[13]	Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Koop, Natinsky, Rasansky, Hunt
Voting No:	[1]	Blaydes
Absent when vote taken:	[1]	Miller

Mayor Pro Tem Hill declared the motion adopted.

Assigned ORDINANCE NO. 26243.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0364

Addendum addition 9: Zoning Case Z056-150 (JA)

Zoning Case Z056-150 (JA), an application for and an ordinance granting an Historic Landmark Overlay, within Planned Development Subdistrict No. 1 within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the south corner of Hall Street and Reagan Street.

(The city plan commission recommended approval, pending preservation criteria.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26244.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0365

Addendum addition 10: Public Hearing - Zoning Case Z056-147 (DC)

A public hearing was called on zoning case Z056-147 (DC), an application for and an ordinance granting the renewal of Specific Use Permit No. 1567 for a homeless assistance center use on property zoned Planned Development District No. 715 and an ordinance granting an amendment to Planned Development District No. 715 for CA-1(A) Central Area district uses and a homeless assistance center use, located on the south corner of Cadiz Street and Ervay Street.

(The city plan commission recommended approval, subject to 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 the city plan commission's recommendation.

Councilmember Medrano moved to close the public hearing and approve the SUP, but change the time limit condition to read as follows:

“This specific use permit shall automatically terminate on January 31, 2008 or at the end of any extension of the lease between the City of Dallas and the property owner whichever is later” and pass the ordinance.

Motion seconded by Councilmember Salazar.

After discussion, Mayor Pro Tem Hill called the vote on the motion:

Voting Yes:	[12]	Hill, Garcia, Medrano, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Koop, Natinsky, Hunt
Voting No:	[1]	Blaydes
Abstain:	[1]	Rasansky
Absent when vote taken:	[1]	Miller

Mayor Pro Tem Hill declared the motion adopted.

Assigned ORDINANCE NO. 26245.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0366

Addendum addition 11: An ordinance amending Chapter 8 of the Dallas City Code to provide for when a person is disqualified from serving on a city board or commission because of obligations owed to the city - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26246.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0367

Addendum addition 12: A resolution directing the City Manager and the Chief of Police to develop policies and procedures relating to the impoundment of motor vehicles at accident scenes when the vehicle owners and operators fail to show evidence of financial responsibility as required by Chapter 601 of the Texas Transportation Code - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the resolution.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0368

Addendum addition 13: A resolution abating show-cause and accepting settlement with TXU Electric Delivery - Financing: No cost consideration to the City

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.

Deputy Mayor Pro Tem Garcia moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 25, 2006

06-0369

Addendum addition 14: A resolution expressing the sentiment of the City Council that Time Warner, or any cable franchise holder in the City, adopt policies and procedures for the fair treatment of its employees and for investment in the community - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the resolution:

Michael Lo Vuolo, 616 Cristler, representing Communication Workers of America
Daryl Russell, 648 Nora Ln., Desoto, TX representing Communication Workers of America
Larry Ihfe, 2705 Meadow Park Dr., Garland, TX, representing Communication Workers of America
Susan Enarson, 9626 Athlone Dr.

Councilmember Medrano moved to approve the resolution, with the following changes:

“WHEREAS, the City Council expects the companies that are granted cable franchises with our community to be a good corporate citizen, provide stable employment, family-supporting jobs, and respect the rights of its employees, its contractors’ and/or subcontractors’ employees, including the recognition of their right to organize and bargain collectively without interference; and

WHEREAS, transparency with regard to ~~service providers~~ cable franchisee adherence to/violation of rights in the workplace provides customers and the City Council greater ability to assess compliance, and provides an added incentive to service providers to continually improve workplace conditions; and

WHEREAS, the City Council expects ~~employers~~ its cable franchisee to treat our citizens with dignity and respect and to afford them their legal rights without conflict;”

Section 3. That the City Council hereby ~~requires~~ expects that Time Warner or any cable franchise holder give written notice to the City Council of any pending unfair labor practice charge, lawsuit, or complaint involving its own and/or its contractors/subcontractors' workers rights of association, including incidents related to organizing efforts, collective bargaining requirements, and any management practices intended to counter unionization. Said written notice should include what substantive steps the franchise holder, and/or its contractors/subcontractors are taking, if any, to resolve the charge, lawsuit, complaint and maintain labor harmony”

Motion seconded by Mayor Pro Tem Hill.

After discussion, Mayor Pro Tem Hill called the vote on the motion:

Voting Yes:	[8]	Hill, Garcia, Medrano, Thornton Reese, Salazar, Chaney, Fantroy, Hunt
Voting No:	[5]	Oakley, Blaydes, Koop, Natinsky, Rasansky
Abstain:	[2]	Miller, Griffith

Mayor Pro Tem Hill declared the motion adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 25, 2006

EXHIBIT C

11/05/2006 3:05 P.M.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS