

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2006

06-1180

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 9:11 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 2:22 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.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2006

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2006

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1181

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: John Ford, 3701 Turtle Creek Blvd.
SUBJECT: The Wright Amendment

SPEAKER: Gwen Lummus, 18935 Westwood Pl.
SUBJECT: Bonus for Police Officers

SPEAKER: Louise Williams, 6910 S. Cockrell Hill Rd.
SUBJECT: Bonus for Police Officers

SPEAKER: Fahim Minkah, 307 W. Main, Lancaster, TX
REPRESENTING: United Front of Dallas, Inc.
SUBJECT: Southern Skates Roller Rink

SPEAKER: James Garner, 2300 Harding St.
SUBJECT: Police Department, Identity Theft, Drugs

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

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Corrupt Dallas Police Officers and Code Compliance

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1182

Item 1: Approval of Minutes of the April 12, 2006 City Council Meeting

Councilmember Thornton Reese moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1183

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-39 and addendum addition consent agenda items 1-6, were presented for consideration.

Deputy Mayor Pro Tem Garcia requested that consent agenda item 38 be considered as an individual item. Mayor Miller stated that consent agenda item 38 be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Councilmember Rasansky requested that consent agenda items 12, 16, and 29 be considered as individual items. Mayor Miller stated that consent agenda items 12, 16, 29 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 12, 16, 29, and 38 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1184

Item 2: Authorize (1) the receipt and deposit of funds from NorthPark Partners, LP for one-half of the cost of resurfacing of Park Lane between Boedeker Street and Central Expressway in the amount of \$73,000; (2) an increase in appropriations in the amount of \$73,000 in the Capital Projects Reimbursement Fund; and (3) a contract for the 2006 Asphaltic Concrete Street Resurfacing Group 1 on 30 improved streets - JRJ Paving, LP, lowest responsible bidder of four - Total not to exceed \$4,130,918 - Financing: 2003 Bond Funds (\$3,997,668), Private Funds (\$73,000), Water Utilities Capital Construction Funds (\$60,250)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1185

Item 3: Authorize a contract for the 2006 Asphaltic Concrete Street Resurfacing Group 2 on 17 improved streets - JRJ Paving, LP, lowest responsible bidder of three - \$3,193,282 - Financing: 2003 Bond Funds (\$3,140,533), Water Utilities Capital Construction Funds (\$52,750)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1186

Item 4: Authorize a contract for the 2006 Asphaltic Concrete Street Resurfacing Group 3 on 33 improved streets - Austin Bridge & Road, L.P., lowest responsible bidder of five - \$4,155,021 - Financing: 2003 Bond Funds (\$4,082,095), Water Utilities Capital Construction Funds (\$72,925)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1187

Item 5: Authorize a contract for the 2006 Asphaltic Concrete Street Resurfacing Group 4 on 24 improved streets - Austin Bridge & Road, L.P., lowest responsible bidder of six - \$1,976,110 - Financing: 2003 Bond Funds (\$1,919,685), Water Utilities Capital Construction Funds (\$56,425)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1188

Item 6: Authorize a contract for the construction of water and wastewater main replacements at 8 locations - Barson Utilities, Inc., lowest responsible bidder of three - \$5,467,485 - Financing: Water Utilities Capital Improvement Funds (\$5,443,725), 2003 Bond Funds (\$23,760)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1189

Item 7: Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for the installation of shade structures, new chain link gates, painting and furnishing and installation of an air conditioning and exhaust system for the Family Aquatics Center at Thurgood Marshall Park located at 5150 Mark Trail Way - \$155,906, from \$1,355,390 to \$1,511,296 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1190

Item 8: Authorize an increase in the contract with Integrated Roadway Services, Inc. for the construction of additional streetscape improvements on Akard Street from Young Street to Bryan Street (excluding Bell Plaza) for the City Center TIF District - \$87,590, from \$730,907 to \$818,497 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1191

Item 9: Authorize Supplemental Agreement No. 1 to the contract with Criado & Associates, Inc. for the design of alley paving, drainage and wastewater improvements on the alley between State Street and Thomas Avenue from Fairmount Street to Routh Street - \$10,401, from \$19,758 to \$30,159 - Financing: 2003 Bond Funds (\$8,701) and Water Utilities Capital Improvement Funds (\$1,700)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1192

Item 10: Authorize Supplemental Agreement No. 2 to the contract with Charles Gojer and Associates, Inc. to provide professional engineering services for the design and preparation of construction documents for Phase II of the terminal apron repairs at Dallas Love Field - Not to exceed \$52,500, from \$224,614 to \$277,114 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1193

Item 11: Authorize Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide construction management services for the airfield shoulder and drainage repairs at Dallas Love Field - Not to exceed \$81,835, from \$861,707 to \$943,542 - Financing: Aviation Capital Construction Funds (\$20,459) and Federal Aviation Administration Grant Funds (\$61,376)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1194

Item 12: Authorize Supplemental Agreement No. 1 to the contract with BOKA Powell, LLC for architectural and engineering services for improvements to Shed 2 and adjacent areas at the Dallas Farmers Market - \$320,100, from \$131,500 to \$451,600 - Financing: 2003 Bond Funds

Councilmember Rasansky requested that consent agenda item 12 be considered as an individual item. Mayor Miller states 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.

The following individual addressed the city council regarding the item:

Ida Papert, 10521 Egret

Councilmember Natinsky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1195

Item 13: Authorize an increase in the contract with Archer Western Contractors, Ltd., for pump improvements at the Elm Fork Water Treatment Plant - \$260,641, from \$4,414,000 to \$4,674,641 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1196

Item 14: Authorize Supplemental Agreement No. 2 to the professional services contract with Chiang, Patel & Yerby, Inc. for additional engineering services in support of the East Side Water Treatment Plant Expansion and construction management services for the East Side Water Treatment Plant and Bachman Water Treatment Plant - \$2,158,900, from \$16,394,123 to \$18,553,023 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1197

Item 15: Authorize a Project Specific Agreement with Dallas County for participation in the design and construction of paving, drainage, water and wastewater main improvements on Main Street from Houston Street to Market Street - \$300,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1198

Item 16: Authorize payment to Dallas County for the reconstruction of paving and drainage improvements on the westbound lanes of Walnut Hill Lane from Greenville Avenue to Glen Lakes Drive - \$692,288 - Financing: 1995 Bond Funds (\$554,355), 1998 Bond Funds (\$137,933)

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

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

Deputy Mayor Pro Tem Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1199

Item 17: Authorize a transmission line relocation agreement with TXU Electric for the relocation of the distribution line to the same location as the transmission line for Houston School Road from Camp Wisdom to approximately 2,272 linear feet south of Camp Wisdom Road - \$450,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1200

Item 18: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land improved with an office/warehouse facility containing approximately 37 acres located near the intersection of McDonald Street and Union Pacific Railroad from 1301 McDonald, L. P. for the Dallas Floodway Extension Project - \$3,850,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1201

Item 19: Authorize acquisition of 4 lots improved with single family homes in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed Dallas Police Academy - \$210,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1202

Item 20: Authorize settlement in lieu of proceeding with condemnation of a water line easement containing approximately 326,083 square feet of land owned by Selin Aran located in Van Zandt County for the Lake Fork Water Pipeline Project - \$13,475 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1203

Item 21: An ordinance abandoning portions of Leonard and Colby Streets to the Federal Reserve Bank of Dallas, the abutting owner, containing approximately 28,264 square feet of land located at their intersection, and authorizing the quitclaim - Revenue: \$1,729,756 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26307.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1204

Item 22: Authorize a 7-year lease agreement with Gaston Biomedical, L.P. for approximately 5,360 square feet of office space located at 3910 Gaston Avenue to be used as a Women, Infants and Children Clinic for the period July 1, 2006 through June 30, 2013 - Not to exceed \$712,880 - Financing: 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

April 26, 2006

06-1205

Item 23: Authorize a thirty-six-month master agreement to be used for accessories, repair and parts for two-way radio equipment to be used city-wide, with the lowest responsible bidders of two - Hutton Communications, Inc. in the amount of \$541,200 and Motorola Communications, Inc. in the amount of \$2,830,000 - Total not to exceed \$3,371,200 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1206

Item 24: Authorize a twenty-four-month master agreement for concrete reinforced pipe with the only bidder - Hanson Pipe & Products - Not to exceed \$119,077 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1207

Item 25: Authorize a thirty-six-month master agreement for traffic cones and delineators with the lowest responsible bidder of four - BKW Environmental Services, LLC - Not to exceed \$154,640 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1208

Item 26: Authorize a thirty-six-month master agreement for sewer hoses, stainless steel clamps, hoses and accessories with the lowest responsible bidders of three - Mueller Co. in the amount of \$510,485, 4-Star Air Hydraulics and Supplies in the amount of \$514,546, and Powerseal Pipeline Products Corp. in the amount of \$172,546 - Total not to exceed \$1,197,577 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1209

Item 27: Authorize settlement of the claim filed by Tyree Sims, Claim No. 20050195 -
Not to exceed \$12,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1210

Item 28: Authorize the event plan for a possible major sports celebration in honor of the Dallas Stars no earlier than June 16, 2006, and/or the Dallas Mavericks no earlier than June 20, 2006, in accordance with "A Policy Statement for Major Sports Celebrations" previously approved on December 8, 1993 by Resolution No. 93-4570 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1211

Item 29: An ordinance authorizing a correction to Ordinance No. 25960 for an amendment to Planned Development District No. 298, the Bryan Area Special Purpose District, and Ordinance No. 26179, an ordinance correcting Ordinance No. 25960 to attach the correct study area map as Exhibit 298A - Z045-169 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 29 be considered as an individual item. Mayor Miller states that consent agenda item 29 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 29 was brought up for consideration.

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

Councilmember Medrano moved to approve the item.

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

Assigned ORDINANCE NO. 26308.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1212

Item 30: Authorize an Interlocal Agreement with the Dallas County Department of Health and Human Services and the Dallas Area Agency on Aging to provide health, nutrition, recreation, and social service activities for senior citizens at the Martin Luther King, Jr. Recreation Center and the West Dallas Multipurpose Center for the period January 1, 2006 through December 31, 2009 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1213

Item 31: Authorize adoption of the special pay schedule for sworn personnel in the Dallas Police Department effective April 1, 2006 - Not to exceed \$924,572 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1214

Item 32: Authorize (1) the acceptance of a grant from the ExxonMobil Foundation in the amount of \$265,000 to provide funding for employment, training and basic education services to Dallas youth; (2) the implementation of the Summer Youth Program from April 26, 2006 to August 21, 2006 for low- to moderate-income youth ages 16 and above, and certain costs for students and supervisor wages, supplies training, and materials in the amount of \$238,000; and (3) an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component in the amount of \$27,000 - Total not to exceed \$265,000 - Financing: 2006 ExxonMobil Foundation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1215

Item 33: Authorize a supplemental agreement to the management agreement with the African American Museum to provide a cultural awareness program for low-to moderate-income youth in the Southern Dallas area - \$50,000 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1216

Item 34: Authorize a public hearing to be held on May 10, 2006 to receive comments in preparation of the FY 2006-07 Operating, Capital, Grant, and Trust budgets
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1217

Item 35: A resolution extending the decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program Rate Adjustment from May 29, 2006 to July 13, 2006 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1218

Item 36: Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad grant in the amount of \$485,000 to provide a specialized proactive automobile theft program from the Texas Automobile Theft Prevention Authority for the period September 1, 2006 through August 31, 2007 (local match in the amount of \$72,180 of all expenses will be required if awarded and in-kind contributions in the amount of \$485,000 will be contributed by the Dallas Police Department) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1219

Item 37: Authorize (1) the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant in the amount of \$90,000 from the Texas Department of Transportation for a safety belt enforcement initiative for the period of May 22, 2006 through June 4, 2006, (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$25,398, and (3) execution of the grant agreement - Total not to exceed \$115,398 - Financing: Current Funds (\$25,398) and Texas Department of Transportation Grant Funds (\$90,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1220

Item 38: Authorize Supplemental Agreement No. 1 to the professional services contract with ACS State and Local Solutions for additional services and equipment including the procurement of AutoVu license plate recognition cameras, the addition of a Pay Station and Customer Service Center at the Auto Pound and the reimbursement of City expenses for two additional Boot Officers; and assignment of additional revenues from new fee and penalty increases to ACS State and Local Solutions for compensation - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Garcia requested that consent agenda item 38 be considered as an individual item. Mayor Miller states that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request. Later in the meeting, agenda item 38 was brought up for consideration.

Deputy Mayor Pro Tem Garcia announced that she had a conflict of interest and would abstain from voting or participating in any discussion. Deputy Mayor Pro Tem Garcia left the city council chamber.

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1221

Item 39: An ordinance amending Chapter 28 of the Dallas City Code to increase the fee for immobilizing a vehicle that is the subject of multiple unresolved parking violations; establish a \$500 criminal fine for removing, disabling, tampering with, or damaging a parking boot or for towing or moving a booted vehicle; establish a \$20 additional penalty for failure to timely pay all civil fines, fees, penalties, and costs assessed for a parking violation; and update references to state law - Estimated Additional Revenue: \$386,000

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26309.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1222

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 40-60, were presented for consideration.

Agenda items 42, 48, 49, 57 and 58 were removed from the consent zoning docket, to be considered as individual hearings and item 46 was deleted from the agenda on the addendum.

Agenda item 40:	Zoning Case Z034-297 (MM/MF)	
Agenda item 41:	Zoning Case Z045-276 (RB)	
Agenda item 42:	Zoning Case Z045-309 (MM/MF)	[Considered individually]
Agenda item 43:	Zoning Case Z056-123 (RB)	
Agenda item 44:	Zoning Case Z056-141 (JA)	
Agenda item 45:	Zoning Case Z056-143 (RB)	
Agenda item 46:	Zoning Case Z056-159 (JH)	[Deleted]
Agenda item 47:	Zoning Case Z056-160 (JH)	
Agenda item 48:	Zoning Case Z056-161 (JH)	[Considered individually]
Agenda item 49:	Zoning Case Z056-162 (DW)	[Considered individually]
Agenda item 50:	Zoning Case Z056-163 (JH)	
Agenda item 51:	Zoning Case Z056-164 (DW)	
Agenda item 52:	Zoning Case Z056-166 (JA)	
Agenda item 53:	Zoning Case Z056-167 (WE)	
Agenda item 54:	Zoning Case Z056-168 (WE)	
Agenda item 55:	Zoning Case Z056-174 (RB)	
Agenda item 56:	Zoning Case Z056-175 (RB)	
Agenda item 57:	Zoning Case Z056-178 (DW)	[Considered individually]
Agenda item 58:	Zoning Case Z056-181 (RB)	[Considered individually]
Agenda item 59:	Zoning Case Z056-170 (WE)	
Agenda item 60:	Zoning Case Z056-173 (RB)	

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

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

Councilmember Oakley moved to close the public hearing, accept the recommendation of the city plan commission 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 Deputy Mayor Pro Tem Garcia and unanimously adopted. (Salazar, Rasansky absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1223

Item 40: Zoning Case Z034-297 (MM/MF)

Zoning Case Z034-297 (MM/M/F0, an application for and an ordinance granting an expansion of and an amendment to Specific Use Permit No. 1450 for an Open Enrollment Charter School on property zoned an R-7.5(A) Single Family District on the southwest corner of West Illinois Avenue and Chalmers 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 .)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26310.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1224

Item 41: Zoning Case Z045-276(RB)

Zoning Case Z045-276(RB), an application for and an ordinance granting a Specific Use Permit for an Industrial (inside) potentially incompatible use for soap or detergent manufacturing use on property zoned an IM Industrial Manufacturing District on the east and west line of Weir Street, south of Singleton Boulevard.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26311.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1225

Item 42: Zoning Case Z045-309 (MM/MF)

The consent zoning docket, consisting of agenda items 40-60, was presented.

Councilmember Natinsky requested that consent zoning docket 42 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 42 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Natinsky's request.

Later in the meeting, zoning docket item 42 was brought up for consideration.

A public hearing was called on zoning case Z045-309 (MM/MF), an application for and an ordinance granting an amendment to Specific Use Permit No. 1344 for a college, university, or seminary, a community service center, and a police or fire station to allow the additional use of a Private School or an Open Enrollment Charter School on property zoned an MF-1(A) Multifamily District on the northeast corner of Frankford Road and Marsh Lane.

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

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

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

- “1. The only permitted uses are an open-enrollment charter school or a private school.
2. The specific use permit automatically terminates on April 26, 2009.
3. School personnel must direct traffic in the morning from one hour prior to the beginning of classes until one hour after the beginning of classes, and in the afternoon from one hour prior to the end of classes until one hour after the end of classes.
4. The maximum number of classrooms is 10.
5. Enrollment may not exceed 100 students and is limited to grades 5 through 8.
6. The open-enrollment charter school or private school may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.
7. A pick-up and drop-off area must be provided as shown on the site plan.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

06-1225

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8. Signage must be provided indicating the entrance and exit from the open-enrollment charter school or private school. The only other sign allowed is the monument sign currently erected at the corner of Marsh Lane and Frankford Road” and pass the ordinance.

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

Assigned ORDINANCE NO. 26312.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1226

Item 43: Zoning Case Z056-123 (RB)

Zoning Case Z056-123 (RB), an application for a TH-2(A) Townhouse District located at the east corner of Lake Highlands Drive and Easton Road with consideration being given to and an ordinance granting a TH-1(A) Townhouse District in lieu of the requested TH-2(A) Townhouse District.

(The city plan commission recommended approval of a TH-1(A) Townhouse District in lieu of the requested TH-2(A) Townhouse District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26313.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1227

Item 44: Zoning Case Z056-141 (JA)

Zoning Case Z056-141 (JA), a Landmark Commission authorized hearing for an Historic Overlay for the Clifford D. Hutsell House on property zoned an R-7.5(A) Single Family District at 7035 Lakewood Boulevard, northwest corner of Lakewood Boulevard and Winsted Drive, and an ordinance granting an Historic Overlay.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26314.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1228

Item 45: Zoning Case Z056-143 (RB)

Zoning Case Z056-143 (RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area generally bounded by Cedar Springs Road, Hawthorne Avenue, Hartford Street, and the northern half of Raleigh Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26315.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1229

Item 46: Zoning Case Z056-159 (JH)

Zoning Case Z056-159 (JH), an application for and an ordinance granting an amendment to Specific Use Permit No. 1465 for a community service center on property zoned Planned Development District No. 67, on the northwest corner of University Boulevard and Roper Street.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1230

Item 47: Zoning Case Z056-160 (JH)

Zoning Case Z056-160 (JH), a City Plan Commission authorized hearing to determine proper zoning on property zoned a TH-3(A) Townhouse District and an IR Industrial Research District with consideration being given to a single family district on the northwest corner of Vilbig Street and TX and Pacific Railroad and an ordinance granting an R-5(A) Single Family District.

(The city plan commission recommended approval, of an R-5(A) Single Family District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26316.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1231

Item 48: Zoning Case Z056-161 (JH)

The consent zoning docket, consisting of agenda items 40-60, was presented.

Councilmember Griffith requested that consent zoning docket 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 Griffith's request.

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

A public hearing was called on zoning case Z056-161 (JH), an application for and an ordinance granting a GR General Retail Subdistrict on property zoned a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and an ordinance granting a Specific Use Permit for a Bank or Savings and Loan Office with drive-through lanes on property zoned a P Parking Subdistrict and a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest corner of Oaklawn Avenue and Avondale Avenue.

(The city plan commission recommended approval of the GR General Retail Subdistrict and approval of the Specific Use Permit for a ten -year period with eligibility for automatic renewal for additional ten-year periods, subject to site plans 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, accept the recommendation of the city plan commission and pass the ordinance.

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

Assigned ORDINANCE NOS. 26317 and 26318.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1232

Item 49: Zoning Case Z056-162 (DW)

The consent zoning docket, consisting of agenda items 40-60, was presented.

Councilmember Koop that consent zoning docket 49 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 49 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, zoning docket item 49 was brought up for consideration.

A public hearing was called on zoning case Z056-162 (DW), an application for and an ordinance granting an amendment to Planned Development District No. 16 for RR Regional Retail District uses, with consideration given to and a resolution accepting an amendment to the beautification easement as it applies to a portion of this property to allow for the installation of landscaping, irrigation, and drainage improvements and to provide for the ongoing maintenance and preservation of the landscaping on the east side of Preston Road, north of LBJ Freeway.

(The city plan commission recommended approval of an amendment to Planned Development District No. 16 subject to a landscape plan and conditions, and approval of an amendment to the beautification easement.)

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

Councilmember Koop moved to postpone the application until the May 24, 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. (Salazar, Rasansky absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1233

Item 50: Zoning Case Z056-153 (JH)

Zoning Case Z056-153 (JH), an application for and an ordinance granting a Planned Development District for MU-1 Mixed uses with retention of the D Dry Overlay on property zoned an MU-1 Mixed Use District with a D Dry Overlay and LO-2 Limited Office District with a D Dry Overlay with consideration given to and an ordinance granting a MU-2 Mixed Use District with retention of the D Dry Overlay and a resolution accepting deed restrictions volunteered by the applicant on property located on the southwest corner of Northaven Road and Central Expressway.

(The city plan commission recommended approval of an MU-2 Mixed Use District with retention of the D Dry Liquor Control Overlay, subject to deed restrictions volunteered by the applicant.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26319.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1234

Item 51: Zoning Case Z056-164 (DW)

Zoning Case Z056-164 (DW), an application for and an ordinance granting a Specific Use Permit for an Industrial (inside) not potentially incompatible use on property zoned Subdistrict 1b within Planned Development District No. 714, on the southeast corner of Commerce Street and Sylvan Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26320.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1235

Item 52: Zoning Case Z056-166 (JA)

Zoning Case Z056-166 (JA), an application for and an ordinance granting an Historic Overlay for the Fidelity Union Life Towers on property zoned a CA-1(A)-CP Central Area District with a Core Pedestrian Overlay, in an area bounded by Akard Street, Federal Street, Bullington, Bryan Street and Pacific Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26321.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1236

Item 53: Zoning Case Z056-167 (WE)

Zoning Case Z056-167 (WE), an application for and an ordinance granting a Specific Use Permit for a child-care facility and private school use on property zoned an MF-2(A) Multifamily District and an MU-2 Mixed Use District on the northeast corner of Westmoreland Road and Glennlyons Drive.

(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.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26322.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1237

Item 54: Zoning Case Z056-168 (WE)

Zoning Case Z056-168 (WE), an application for and an ordinance granting a CS Commercial Service District on property zoned a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a CR Community Retail District on a portion of the property zoned Planned Development District No. 72 for Automobile Sales and Service, north of Inwood Road, east Cedar Springs Road.

(The city plan commission recommended approval of the CS Commercial Service District, subject to deed restrictions volunteered by the applicant and approval of the CR Community Retail District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 26323 and 26324.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1238

Item 55: Zoning Case Z056-174 (RB)

Zoning Case Z056-174 (RB), an application for and an ordinance granting an expansion to and renewal of Specific Use Permit No. 1548 for an Open Enrollment Charter School on property zoned an IR Industrial Research District on the west line of Forestgate Drive, north of Forest Lane.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26325.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1239

Item 56: Zoning Case Z056-175 (RB)

Zoning Case Z056-175 (RB), an application for and an ordinance granting an amendment to the conceptual plan and development plan for Planned Development Subdistrict No. 39 for Mixed Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, with the Dry Liquor Control Overlay on a portion of the site on the west corner of Maple Avenue and Wolf Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26326.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1240

Item 57: Zoning Case Z056-178 (DW)

The consent zoning docket, consisting of agenda items 40-60, was presented.

Councilmember Koop requested that consent zoning docket 57 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 57 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Koop's request.

Later in the meeting, zoning docket item 57 was brought up for consideration.

A public hearing was called on zoning case Z056-178 (DW), an application for and an ordinance granting a Specific Use Permit for a Private-Club Bar and Commercial Amusement (inside) limited to a Class A Dance Hall on property zoned a CR Community Retail District on the east side of Dallas Parkway, north of Belt Line Road.

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

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

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

“With the change to the time period for a two year period without automatic renewal”
and pass the ordinance.

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

Assigned ORDINANCE NO. 26327.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1241

Item 58: Zoning Case Z056-181 (RB)

The consent zoning docket, consisting of agenda items 40-60, was presented.

Deputy Mayor Pro Tem Garcia requested that consent zoning docket 58 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 58 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Deputy Mayor Pro Tem Garcia's request.

Later in the meeting, zoning docket item 58 was brought up for consideration.

A public hearing was called on zoning case Z056-181 (RB), a City Plan Commission authorized hearing to consider proper zoning for the Subdistrict D-1 portion of Planned Development District No. 468 for Mixed Uses located in the east quadrant of Colorado Boulevard and Zang Boulevard and the north quadrant and Zang Boulevard and Plowman Avenue with consideration being given to amending the Tract 1 and 2 Development Plan/Tract 3 Conceptual Plan and conditions as it relates to multifamily uses on Tract 2 as well as various provisions related to the retail development on Tract 1 and an ordinance granting the amendment.

(The city plan commission recommended approval, subject to a revised Tract 1 and 2 development plan/Tract 3 conceptual plan and conditions.)

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

Deputy Mayor Pro Tem Garcia moved to close the public hearing and approve the amendments to Subdistrict D-1 of Planned Development District No. 468 with the following change:

“Amend Subparagraph 51P-468.112(d)(1)(C) to read as follows:

(C) The following off-street parking requirements apply for a multifamily use on Tract 2:

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06-1241

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- (i) A minimum of one-and-one-half spaces are required for each dwelling unit in the building.
- (ii) In addition, a minimum of three visitor spaces must be provided in the location shown on the Tract 1 and 2 Development Plan/Tract 3 Conceptual Plan” and pass the ordinance.

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

Assigned ORDINANCE NO. 26328.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1242

Item 59: Zoning Case Z056-170 (WE)

Zoning Case Z056-170 (WE), an application for and an ordinance granting an amendment to the sign regulations of Planned Development District No. 710 for community retail uses on the south line of W. Illinois Avenue, between Coombs Creek Drive and Westmoreland Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26329.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1243

Item 60: Zoning Case Z056-173 (RB)

Zoning Case Z056-173 (RB), an application for and an ordinance granting a Specific Use Permit for Private streets on property zoned an R-1ac(A) Single Family District on the southwest quadrant of Royal Lane and Inwood Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26330.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1244

Item 61: Public Hearing - Zoning Case Z056-114 (WE)

A public hearing was called on zoning case Z056-114 (WE), an application for and an ordinance granting a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast corner of McKinney Avenue and Harwood Street.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1245

Item 62: Public Hearing – Zoning Case Z056-188 (JA)

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

A public hearing was called on zoning case Z056-188 (JA), a Landmark Commission authorized hearing to consider establishment of an Historic Overlay for the Junius Heights neighborhood on property zoned Planned Development District No. 397, a D(A) Duplex District, an MF-2(A) Multifamily District, an NS(A) Neighborhood Service District, and Planned Development No. 99 Junius Heights Neighborhood, generally bounded by Gaston Avenue, Henderson Avenue, Reiger Avenue, East Side Avenue, Abrams Road, Columbia Avenue, Glasgow Drive, Abrams Road and Nesbitt Drive and an ordinance granting an Historic Overlay.

(The city plan commission recommended approval, subject to three revisions to the preservation criteria dated March 13, 2006.)

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

Brenda Jones, 715 Lipscomb

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

Rene Schmidt, 715 Parkmont

Laura Koppang, 5420 Worth St.

Tam Pham, 5538 Tremont

Steve Clicque, 6025 Reiger Ave.

Bill Williams, 5612 Reiger Ave.

Dwayne Jones, 2922 Swiss Ave., Executive Director of Preservation Dallas

Pauline Mayfield, 5522 Worth St.

David Turner, 714 Parkmont

Robert Canas, 6032 Worth St.

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06-1245

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

- “1. A certificate of appropriateness is not required for routine maintenance at a school in Tract D.
2. Chain link fences are allowed in the front and side yards of a school in Tract D for safety purposes.
3. Chain link fences in the front yard of a school in Trace D may not exceed four feet in height.
4. New construction or additions to a school in Tract D must be compatible with the existing school building.
5. New construction and additions are allowed in the cornerside yard of a school in Tract D.
6. Portable classrooms are permitted in the cornerside yard of a school in Tract D.
7. The 600 square feet footprint requirement for accessory buildings in Tract D does not apply to portable classroom buildings located at a school.
8. Vinyl and aluminum siding are permitted on the exterior of portable classroom buildings in Tract D” and pass the ordinance.

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

Assigned ORDINANCE NO. 26331.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1246

Item 63: Public Hearing – Zoning Case Z056-180 (JA)

A public hearing was called on zoning case Z056-180 (JA), a Landmark Commission authorized hearing to consider the expansion of and amendment to Historic Overlay No. 44, Booker T. Washington High School, on property zoned Planned Development District No. 145, H-44, the Dallas Arts District, with Historic Overlay No. 44, 2501 Flora, Booker T. Washington High School, in an area bounded by Flora Street, Jack Evans Street, Woodall Rodgers Access Road and Routh Street and an ordinance granting the expansion of and amendment to Historic Overlay No. 44.

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

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 Chaney and unanimously adopted. (Salazar, Rasansky absent when vote taken)

Assigned ORDINANCE NO. 26332.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1247

Item 64: Public Hearing – Zoning Case Z056-135 (DW) - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on zoning case Z056-135 (DW), an application for and an ordinance granting a Planned Development District for RR Regional Retail District uses plus multifamily uses on property zoned an MF-2(A) Multifamily District, on the north corner of Northwest Highway and Skillman Street.

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

Note: This item was considered by the City Council at a public hearing on March 8, 2006, and was taken under advisement until April 26, 2006, with the public hearing open.)

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

Councilmember Griffith moved to postpone the application until the May 10, 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.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1248

Item 65: Public Hearing – Zoning Case Z056-145 (DW) – UNDER ADVISEMENT – INDIVIDUAL

A public hearing was called on zoning case Z056-1465 (DW), an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District, at the east corner of Maple Avenue and Fielder Court and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant.

(The city plan commission recommended approval, subject to an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant. Note: This item was considered by the City Council at a public hearing on March 8, 2006, and was taken under advisement until April 26, 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:

Mike Coker, 2700 Swiss Ave., representing the applicant

Councilmember Medrano moved to close the public hearing, accept the recommendation of the city plan commission for approval of an MU-2 Mixed Use District and acceptance of an avigation easement volunteered by the applicant, with the ordinance to come back on the miscellaneous agenda along with a resolution accepting an avigation easement and deed restrictions volunteered by the applicant that require compliance with a landscape plan.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1249

Item 66: Public Hearing – Zoning Case Z056-122 (DW) – UNDER ADVISEMENT – INDIVIDUAL

A public hearing was called on zoning case Z056-122 (DW), an application for and an ordinance granting the renewal of Specific Use Permit No. 1496 for an open-enrollment charter school on property zoned an IR Industrial Research District on the southeast corner of Exchange Service Drive and Joseph Hardin Drive.

(The city plan commission recommended approval for a period expiring on April 14, 2009 with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. Note: This item was considered by the City Council at public hearings on February 8 and March 8, 2006, and was held under advisement until April 26, 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:

Moses Cavazos, 10009 Joseph Hardin Dr.

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

1. The SUP is not eligible for automatic renewal.
2. Classes may only be conducted between 7:00 AM and 3:00 PM.
3. The maximum number of classrooms is 18.
4. The only grade levels permitted are grades K through 5.

The ordinance and a resolution accepting deed restrictions volunteered by the applicant to come back before the council on May 10, 2006.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1250

Item 67: Public Hearing - DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing was called on consideration of amendments to Article II, "Interpretations and Definitions," Article IV, "Zoning Regulations," Article VIII, "Plat Regulations," and Article X, "Landscape and Tree Preservation Regulations," of Chapter 51A, the City of Dallas Development Code, concerning shared access development standards and an ordinance granting the amendments.

(The city plan commission recommended approval.)

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

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

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

Assigned ORDINANCE NO. 26333.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1251

Item 68: Public Hearing – DEVELOPMENT CODE AMENDMENTS – CONSENT

A public hearing was called on consideration of an amendment to Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, the City of Dallas Development Code, concerning standards and restrictions on a home occupation use and an ordinance granting the amendment.

(The city plan commission recommended approval.)

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

Councilmember Blaydes 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. (Salazar, Rasansky absent when vote taken)

Assigned ORDINANCE NO. 26334.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1252

Item 69: Public Hearing – DEVELOPMENT CODE AMENDMENTS – CONSENT

A public hearing was called on consideration of an amendment to Section 51A-11.102(a)(14), "Development Incentives," of Chapter 51A, the Dallas Development Code, to include Junius Heights in the defined list of revitalizing neighborhoods and an ordinance granting the amendment.

(The city plan commission recommended approval, subject to approval of the currently proposed historic overlay district for Junius Heights.)

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 Fantroy and unanimously adopted. (Salazar, Rasansky when vote taken)

Assigned ORDINANCE NO. 26335.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1253

Item 70: MISCELLANEOUS HEARINGS

A public hearing to receive comments on the proposed use of a portion of Emerald Lake Park for the installation of a permanent eight-inch wastewater line; and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

No one addressed the city council regarding the item.

Councilmember Oakley moved to close the public hearing and approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1254

Item 71: MISCELLANEOUS HEARINGS

A public hearing to receive comments on the renewal of the Dallas juvenile curfew ordinance; and, at the close of the hearing, consideration of an ordinance amending Chapter 31 of the Dallas City Code to readopt and continue in effect the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City

No one addressed the city council regarding the ordinance.

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

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

Assigned ORDINANCE NO. 26336.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1255

Item 72: 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)

There were no appointments to boards and commissions to consider.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1256

Item 73: An ordinance removing Associate Municipal Judge Tiffany L. Lewis from office, under Chapter VIII, Section 4A of the Dallas City Charter, for failure to maintain compliance with the requirements of Chapter VIII, Section 4 of the Dallas City Charter and Section 30.00006(c) of the Texas Government Code that she be a licensed attorney in good standing - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to pass the ordinance.

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

Assigned ORDINANCE NO. 26337.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1257

Item 74: An ordinance removing Associate Municipal Judge Elizabeth Davis-Frizell from office, under Chapter VIII, Section 4A of the Dallas City Charter, for violation of Chapter III, Section 17 of the Dallas City Charter which prohibits an appointive officer of the City from becoming a candidate for nomination or election to any public office - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to suspend Council Rules of Procedure 7.11 (a) Deferral of Agenda Item.

Motion seconded by Councilmember Chaney.

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

Voting Yes:	[11]	Hill, Garcia, Medrano, Oakley, Thornton Reese, Chaney, Fantroy, Blaydes, Griffith, Koop, Hunt
Voting No:	[2]	Miller, Natinsky
Absent when vote taken:	[2]	Salazar, Rasansky

Mayor Miller declared the motion adopted.

Councilmember Thornton Reese moved to defer the item until the June 28, 2006 voting agenda meeting of the city council.

Motion seconded by Councilmember Chaney.

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

Voting Yes:	[11]	Hill, Garcia, Medrano, Oakley, Thornton Reese, Chaney, Fantroy, Blaydes, Griffith, Koop, Hunt
Voting No:	[2]	Miller, Natinsky
Absent when vote taken:	[2]	Salazar, Rasansky

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1258

Item 75: Authorize acceptance of the Economic Development Strategic Plan for the Dallas Farmers Market, prepared by BOKA Powell, LLP - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Ida Papert, 10521 Egret

Councilmember Koop moved to amend the resolution to state “accept” instead of “adopt” and approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1259

Item 76: Authorize the adoption of a Cultural Facilities Naming Rights Policy (the Policy) which articulates the general criteria and procedure for naming certain city-owned cultural facilities as well as the scope of the Policy, amending Resolution No. 02-3206, previously approved on November 13, 2002, adopting a revised Cultural Policy and Program which articulates the guiding principles, goals and methods through which the City seeks to meet the future culture needs of the community - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Artist Thornton, 736 Havenwood
Artist Thornton II, 736 Havenwood

Councilmember Chaney moved to approve the resolution.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1260

Addendum addition 1: Authorize a contract for the demolition of the front vestibule, new landscaping, paving and re-creation of bas reliefs and the installation of an exit door and ramp at the Texas Discovery Gardens at Fair Park located at 3601 Martin Luther King, Jr. Boulevard - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$542,400 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1261

Addendum addition 2: Authorize Supplemental Agreement No. 1 to the professional services contract with Carter and Burgess, Inc. for the Interior West Levee Drainage System Study for the evaluation of interior drainage areas and recommendations for proposed improvements to reduce flooding - \$715,537, from \$726,624 to \$1,442,161 - Financing: Current Funds (to be reimbursed from Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1262

Addendum addition 3: An ordinance abandoning portions of three utility easements and a water easement to SDC Ewing Court, LP, the abutting owner, containing approximately 23,712 square feet of land located near the intersection of Ewing Avenue and Winters Street, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26338.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1263

Addendum addition 4: An ordinance abandoning air rights over a portion of Hall Street to Baylor University Medical Center, the abutting owner, containing approximately 461 square feet of land located near the intersection of Hall Street and Gaston Avenue, and authorizing the quitclaim - Revenue: \$7,745 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26339.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1264

Addendum addition 5: Authorize a sixty-month master agreement for mobile data computers and in-car digital video camera systems with the most advantageous proposer of nine - Integrian, Inc. - Not to exceed \$8,500,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1265

Addendum addition 6: Authorize (1) a membership agreement with Texas Conference of Urban Counties Aggregation Project, Incorporated d/b/a Public Power Pool (P3) to negotiate and procure electricity on behalf of the City for a fourth term; (2) a request that the P3 Board limits the City's membership term to the period from January 1, 2007 through December 31, 2007; and (3) a withdraw from membership of P3 effective January 1, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2006

06-1266

The city council went into executive session to seek legal advice as authorized under Section 551.071 of the Texas Open Meetings Act on the following matter:

- Agenda Item 69. Amendment to Section 51A-11.102(a)(14), "Development Incentives," of Chapter 51A, the Dallas Development Code, to include Junius Heights in the defined list of revitalizing neighborhoods and an ordinance granting the amendment.

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2006

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS