

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 25, 2000

00-3200

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR RON KIRK, PRESIDING

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory
Caraway, Chaney, Fantroy, Walne, Finkelman, Greyson, Blumer,
Forsythe Lill

ABSENT: [0]

The meeting was called to order at 9:28 a.m.

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

Mayor Kirk asked all members of the city council and the audience to stand and pray in silence.

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 3:31 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 25, 2000

EXHIBIT A

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 25, 2000

EXHIBIT B

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3201

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, 9647 Oak Gate Ln.
REPRESENTING: John Q. Public
SUBJECT: Police Department, Code Enforcement, Issues: Jim Miller Rd. at South Loop 12

SPEAKER: William Hopkins, 2011 Leath
SUBJECT: President Clinton, KKK, State Representative Eddie Bernice Johnson, Mayor Ron Kirk, RSR Lead Smelter, DHA

SPEAKER: Leonard Mitchell, 10445 Harvest Rd.
SUBJECT: Failure to ID

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Robert Smithback, 408 Park Ave.
REPRESENTING: The Weather Service Company/Homeless
SUBJECT: Homeless laws, Long term weather forecast

The following individuals did not speak. The meeting adjourned due to lack of a quorum.

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Why should blacks vote? God is good all the time, My \$5000 for stolen bricks by the City, Taxation without Representation, City Attorney Madeleine Johnson, Councilmember Leo Chaney, Mayor Ron Kirk

SPEAKER: Leonard Cain, 10025 Shoreview Rd.
SUBJECT: BL

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Taxation without Representation, Mayor and Council: Getting help from friends to get away with crimes, Police car parked at 2750 Marjorie (in the backyard), damage control and reports on Mayor's payroll.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3202

Item 1: Approval of Minutes of the October 25, 2000 City Council Meeting

Mayor Pro Tem Poss moved to approve the minutes as corrected by Councilmember Greyson to show she voted for the motion on Addendum addition 2 instead of against.

Motion seconded by Councilmember Walne and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3203

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-49, was presented for consideration.

Mayor Pro Tem Poss requested that consent agenda items 6 and 7 be considered as individual items. Mayor Kirk stated that consent agenda items 6 and 7 would be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Poss request.

Councilmember Blumer requested that agenda items 27 and 48 be considered as individual items. Mayor Kirk stated that consent agenda items 27 and 48 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Forsythe Lill requested that agenda item 38 be considered as an individual item. Mayor Kirk stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Greyson requested that agenda items 42 and 46 be considered as individual items. Mayor Kirk stated that consent agenda items 42 and 47 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Finkelman requested that agenda items 46 and 48 be considered as individual items. Mayor Kirk stated that consent agenda items 46 and 48 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Walne moved to approve all items on the consent agenda with the exception of consent agenda items 6, 7, 27, 38, 42, 46 and 48 which would be considered later in the meeting.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3204

Item 2: Authorize a professional services contract with John S. Chase, FAIA, Architect, Inc., to provide design services for athletic field improvements, including replacement of the existing concession building exterior walls and roof at Reverchon Park - \$17,272 - Financing: 1998 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

October 25, 2000

00-3205

Item 3: Authorize (1) an increase in the contract with Chickasaw Electrical Corporation to provide miscellaneous modifications for the electrical work at the Women's Museum: An Institute for the Future at Fair Park - \$67,524, from \$796,300 to \$863,824 and (2) assignment of the change order to the Women's Museum: An Institute for the Future - Financing: 1998 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

October 25, 2000

00-3206

Item 4: Authorize a public hearing to be held on December 13, 2000, to receive citizens' comments to correct and adjust the assessment for the cost of improvements against Lot 12, Block 6/3807 on Superior Street from Emmett Street to Clarendon Drive, and consideration at the close of the public hearing of an ordinance amending Ordinance No. 23504, dated April 22, 1998, to reflect these corrections and adjustments - 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

October 25, 2000

00-3207

Item 5: Authorize payment to the Texas Department of Transportation for the City of Dallas participation costs for state review and construction management for the reconstruction of Westmoreland Road from Remond Drive to Singleton Boulevard - \$161,836 - Financing: 1998 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

October 25, 2000

00-3208

Item 6: Authorize (1) payment to the Texas Department of Transportation for the City of Dallas participation costs for the construction of a southbound service road adjacent to Interstate 35E from south of Oak Lawn Avenue to Hi Line Drive for the Arena Project, (2) the receipt and deposit of funds from Center Operating Company, L.P. in an amount not to exceed \$737,257, and (3) an increase in appropriations in the amount of \$737,257 in the Capital Projects Reimbursement Fund - \$737,257 - Financing: Private Funds (provided by Center Operating Company, L.P., subject to reimbursement of 54.35% as the City's share from the Arena Project Construction Fund)

Mayor Pro Tem Poss requested that consent agenda item 6 be considered as an individual item. Mayor Kirk stated that consent agenda item 6 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss' request.

Later in the meeting, agenda item 6 was brought up for consideration.

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

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Poss abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3209

Item 7: Authorize the conveyance to the State of Texas of approximately 45,151 square feet of City-owned land between Edison Street and Hi Line Drive for the construction of the new southbound Stemmons service road - Financing: No cost consideration to the City

Mayor Pro Tem Poss requested that consent agenda item 7 be considered as an individual item. Mayor Kirk stated that consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss' request.

Later in the meeting, agenda item 7 was brought up for consideration.

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

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Poss abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3210

Item 8: Authorize a First Amendment to the Lease of Land with Sewell Village Cadillac Company, Inc., to provide for two successive five-year renewal options, an increase in the annual rent owed to the City and for updated insurance requirements to be added to the lease - Revenue: \$51,144 annually

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3211

Item 9: Authorize an extension to the Lease Agreement with ANA Family Partnership for approximately 10,019 square feet of office space at 7995 LBJ Freeway, Suites 118 and 201, for the Child Health and Women, Infants, and Children Program Services for the period November 1, 2000 through October 31, 2003 - \$9,602 per month, for a total of \$115,224 annually - Financing: Texas Department of Health Grant Funds (\$59,559) and Current Funds (\$55,665)

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

October 25, 2000

00-3212

Item 10: Authorize a three-year renewal of the existing lease agreement with Garland Management Corporation, for approximately 3,853 square feet of medical office space located at 3306 W. Walnut Street, Suite 500 to be used as a Women, Infants, and Children clinic for the period November 1, 2000 through October 31, 2003 - \$3,372 per month, for a total of \$40,464 annually - Financing: Texas Department of Health Grant 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

October 25, 2000

00-3213

Item 11: Authorize the quitclaim of 22 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$151,682

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3214

Item 12: Declare approximately 539 square feet of City-owned land located at 2126 56th Street near its intersection with Lancaster Road unwanted and unneeded and authorize the sale to Gregory F. Hatley, the abutting owner - Revenue: \$674

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3215

Item 13: An ordinance granting the renewal of a revocable license to Neiman Marcus Group, Inc. for the use of approximately 5,108 square feet of land to maintain existing landscape planter pots, awnings, basement and sidewalk lift on and under Main, Commerce and Ervay Streets rights-of-way - Revenue: \$2,550 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24426.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3216

Item 14: An ordinance granting a revocable license to the American Museum of the Miniature Arts, for the use of approximately six square feet of land to maintain aerial signs over Lamar Street right-of-way located near its intersection with Munger Avenue - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24427.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3217

Item 15: An ordinance granting a private license to Holtze Magnolia, LLLP, for the use of approximately 258 square feet of air rights to install and maintain an aerial sign and awnings over Commerce and Akard Streets rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24428.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3218

Item 16: An ordinance abandoning a portion of East End Drive to Sharon Lowry, the abutting owner, containing approximately 345 square feet of land located at its intersection with North Bend Drive and authorizing the quitclaim - Revenue: \$1,760 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24429.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3219

Item 17: Authorize a month-to-month lease with Central Parking System of Texas, Inc., for 80 parking spaces in the Elm Street Garage located at 2000 Elm Street, from October 1, 2000 through September 30, 2001, with initial rent of \$7,760 per month for a total of \$93,120 annually - Financing: Current Funds (\$90,792), Office of the Governor, Criminal Justice Division State Grant Funds (\$2,328)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3220

Item 18: Authorize a twenty-four-month price agreement for clay and sand with the lowest responsible bidders of four - Fields Hauling and Mandujas Trucking Corp. - Not to exceed \$661,700 - Financing: Current Funds (\$407,900) and Water Utilities Current Funds (\$253,800)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3221

Item 19: Authorize a thirty-six-month price agreement for jet fuel used in helicopters by the Dallas Police Department with the lowest responsible bidder of two - Truman Arnold Companies - Not to exceed \$176,985 - Financing: Current Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3222

Item 20: Authorize the rejection of bids received for grounds and median maintenance and readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3223

Item 21: Authorize a thirty-six-month multiple award price agreement for salt for icy streets with the lowest responsible bidders of four - Southwest Envirotech Services dba Envirotech Services and Morton Salt - Not to exceed \$123,713 - Financing: Current Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3224

Item 22: Authorize the purchase of two high-velocity sewer cleaning machines and two five-yard combination units through the Houston-Galveston Area Council of Governments Interlocal Agreement - Not to exceed \$599,537 - Financing: Water Utilities Current Funds (\$199,559) and Water Utilities Capital Construction Funds (\$399,978)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3225

Item 23: Authorize a thirty-six-month price agreement for employee uniforms and safety shoes with the lowest responsible bidders of four - Direct Action Uniforms, Red Wing Shoe Company, Work Wear Safety Shoes and Iron Age Shoe Corporation - Not to exceed \$3,029,549 - Financing: Current Funds (\$2,234,344), Aviation Current Funds (\$44,310), Convention and Event Services Current Funds (\$51,845), Water Utilities Current Funds (\$699,050)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3226

Item 24: Authorize a twenty-four-month price agreement for protective clothing with the lowest responsible bidders of eleven - Texas Mill Supply, Plasco Safety Products, W.W. Grainger, Inc., Samantha=s House of Gloves, Lone Star Safety & Supply, Inc., Bistle Glove Co., Texas Rubber Supply, Inc., Safety Supply, Inc., Briggs Weaver, Medsafe & Vallen Safety Supply Company - Not to exceed \$794,316 - Financing: Current Funds (\$329,572), Aviation Current Funds (\$16,323), Convention and Event Services Current Funds (\$8,829), 1999-00 Community Development Grant Funds (\$22,022), and Water Utilities Current Funds (\$417,570)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3227

Item 25: Authorize settlement of a claim filed by Maureen Pyburn, Claim No. 95-101006728-001 - Financing: Current Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3228

Item 26: Authorize the acceptance of a grant from North Central Texas Council of Governments for "Stop Illegal Dumping - Where the Rubbish Meets the Road", an illegal dumping abatement program and execution of the grant agreement - \$71,202 - Financing: North Central Texas Council of Governments

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3229

Item 27: Authorize a contract with the Greater Dallas Veterans Foundation for city-sponsorship of the 2000 Veteran's Day Celebration Parade in downtown Dallas on Saturday, November 11, 2000 - Not to exceed \$50,000 - Financing: Convention and Event Services Current Funds

Councilmember Blumer requested that consent agenda item 27 be considered as an individual item. Mayor Kirk stated that consent agenda item 27 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Later in the meeting, agenda item 27 was brought up for consideration.

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3230

Item 28: Authorize a professional services contract with Booth Research Group, Inc. to conduct test validation studies for Fire Department ranks - \$248,280 - Financing: Current Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3231

Item 29: Authorize three contracts with Dental Health Programs, Inc. for the continuation of dental health services to eligible residents for the period October 1, 2000 through September 30, 2001 - \$855,000 - Financing: 2000-01 Community Development Grant Funds (\$200,000), 2000-01 Urban Development Action Grant Funds (\$30,000), and Current Funds (\$625,000)

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3232

Item 30: Authorize an extension of the timeframe for implementation of the Ideal Neighborhood Homebuyer Assistance Program to December 31, 2001 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3233

Item 31: Authorize a twelve-month contract with two one-year renewal options with Enterprise Foundation, Inc., only bidder, to operate and administer the Mortgage Assistance Program including homebuyer education which includes \$5,267,923 for program subsidies and \$450,000 for administrative costs (direct service delivery costs and administrative costs) \$5,717,923 - Financing: Frost-Leland Funds (\$400,000), 1999-00 Community Development Grant Funds (\$750,000), Dallas Multifamily Housing Acquisition Corporation Funds (\$357,762), 2000-01 Community Development Grant Funds (\$1,321,386) and 2000-01 HOME Funds (\$2,888,775)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3234

Item 32: Authorize the acceptance of the Fair Housing Assistance Program grant from the U.S. Department of Housing and Urban Development to process, investigate and conciliate housing discrimination complaints and provide fair housing education and outreach for the period October 1, 2000 through September 30, 2001 and execution of the grant agreement - \$310,549 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3235

Item 33: Authorize a ten-year food and drink concession contract with Lake Highlands Soccer Association at Harry S. Moss Park - Estimated Annual Revenue: \$9,700

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3236

Item 34: Authorize a Preservation Incentives Tax Abatement for 601 Elm Street -
Financing: No cost consideration to the City - Revenue: Estimated revenue
foregone for 10 year abatement \$276,530

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3237

Item 35: Authorize a Preservation Incentives Tax Abatement for 4140 Commerce Street/3809 Parry Avenue, Dallas, Texas - Financing: No cost consideration to the City - Revenue: Estimated revenue foregone for 15 year abatement \$444,915

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3238

Item 36: Authorize a sixty-month Interlocal Agreement with the General Services Commission, a state agency, for the Dallas Police Department to access telecommunication service to interface with the Automated Fingerprint Identification System (AFIS) workstations connected to the Texas Department of Public Safety AFIS mainframe - Not to exceed \$88,000 (FY 2000-01: \$15,000; FY 2001-02: \$16,000; FY 2002-03: \$18,000; FY 2003-04: \$19,000 and FY 2004-05: \$20,000) - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3239

Item 37: Authorize the acceptance of the East Dallas Community Enhancement Program/1 grant from the Office of the Governor, Criminal Justice Division for funding the East Dallas Storefront Community, for the period October 1, 2000 through September 30, 2001, and execution of the grant agreement - \$56,259 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3240

Item 38: Authorize the acceptance of the Sex Offender Registration Compliance Program/5 grant from the Office of the Governor, Criminal Justice Division in the amount of \$18,433 for the period October 1, 2000 through September 30, 2001, a local match in the amount of \$56,504 and execution of the grant agreement - \$74,937 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$18,433), Current Funds (\$56,504)

Councilmember Forsythe Lill requested that consent agenda item 37 be considered as an individual item. Mayor Kirk stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting, agenda item 37 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3241

Item 39: Authorize application for and acceptance of the 2000-01 Speed Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation for the period October 1, 2000 through September 30, 2001, a local match and pension costs in the amount of \$82,247, and execution of the grant agreement - \$382,247 - Financing: Texas Department of Transportation Grant Funds (\$300,000) and Current Funds (\$82,247)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3242

Item 40: Authorize application for and acceptance of the 2000-2001 El Protector grant to provide a community educational program on impaired driving issues and occupant protection devices for the period October 1, 2000 through September 30, 2001, a local match in the amount of \$77,500, and execution of the grant agreement - \$155,000 - Financing: Texas Department of Transportation Grant Funds (\$77,500) and Current Funds (\$77,500)

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3243

Item 41: Authorize application for and acceptance of the 2000-01 Safe and Sober Selective Traffic Enforcement Program grant for traffic related activities from the Texas Department of Transportation for the period October 1, 2000 through September 30, 2001, a local match and pension costs in the amount of \$164,732 and execution of the grant agreement - \$764,732 - Financing: Texas Department of Transportation Grant Funds (\$600,000) and Current Funds (\$164,732)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3244

Item 42: Authorize application for and acceptance of the 2000-01 Intersection Traffic Control Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation for the period October 1, 2000 through September 30, 2001, a local match and pension costs in the amount of \$137,210, and execution of the grant agreement - \$637,210 - Financing: Texas Department of Transportation Grant Funds (\$500,000) and Current Funds (\$137,210)

Councilmember Greyson requested that consent agenda item 42 be considered as an individual item. Mayor Kirk stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

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

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3245

Item 43: Authorize application for and acceptance of the 2000-01 Youth Alcohol Enforcement Selective Traffic Enforcement Program grant from the Texas Department of Transportation in coordination with the Texas Alcoholic Beverage Commission and the Dallas Police Department=s Vice Section, to discourage licensed establishments from selling alcohol to minors, for the period October 1, 2000 through September 30, 2001, a local match and pension cost in the amount of \$82,247, and execution of the grant agreement - \$382,247 - Financing: Texas Department of Transportation Grant Funds (\$300,000) and Current Funds (\$82,247)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3246

Item 44: Authorize the Police Department to increase appropriations by \$1,000,000, from \$1,500,000 to \$2,500,000, expend funds for overtime, and receive reimbursement for the expenditures from various federal and state law enforcement agencies for FY 2000-01 in exchange for the participation of the Dallas Police Department in federal and state investigations - Not to exceed \$1,000,000 - Financing: Current Funds (to be fully reimbursed from various federal and state law enforcement agencies)

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3247

Item 45: Authorize renewal of a thirty-six-month Interlocal Agreement with Dallas County to provide the Dallas Police Department with a Certified Technical Supervisor to direct and maintain the Police Department's Breath Alcohol Testing Program to verify alcohol levels of suspects who may be driving while intoxicated - Not to exceed \$29,997 - Financing: Current Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3248

Item 46: Authorize the acceptance of the Public School Child Abuse Response Team/2 grant from the Office of the Governor, Criminal Justice Division for the second year continuation of the salary and benefits of two senior corporal positions as liaisons with the Dallas Public Schools to handle child abuse complaints, in the amount of \$96,866 for the period October 1, 2000 - September 30, 2001, a local match in the amount of \$24,179, and execution of the grant agreement - \$121,045 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$96,866) and Current Funds (\$24,179)

Councilmembers Finkelman and Greyson requested that consent agenda item 46 be considered as an individual item. Mayor Kirk stated that consent agenda item 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Finkelman and Greyson's request.

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

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3249

Item 47: Authorize the acceptance of the Sexual Offender Apprehension Program/4 grant from the Office of the Governor, Criminal Justice Division in the amount of \$117,067 for the program continuation that monitors sex offender compliance with the registration law, for the period October 1, 2000 through September 30, 2001, a local match in the amount of \$196,550, and execution of the grant agreement - \$313,617 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$117,067) and Current Funds (\$196,550)

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3250

Item 48: Authorize an amendment to the 2000 City Calendar and adoption of the 2001 City Calendar - Financing: No cost consideration to the City

Councilmembers Finkelman and Blumer requested that consent agenda item 46 be considered as an individual item. Mayor Kirk stated that consent agenda item 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Finkelman and Blumer's request.

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

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3251

Item 49: Authorize approval of the bi-weekly tax action - \$32,895 - Financing: Tax
Distribution Funds

Approved as part of the consent agenda.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3252

MISCELLANEOUS HEARING

Item 50: A public hearing to receive citizens' comments on the proposed private sale by quitclaim deed of 8 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to qualified non-profit organizations - Financing: No cost consideration to the City

Item 51: Authorize the private sale through House Bill 110 by quitclaim deed of eight unimproved properties acquired by the taxing authorities from a Sheriff's Sale to qualified non-profit organizations - Revenue: \$9,011

The following individuals addressed the city council regarding the proposed private sale:

William Hopkins, 2011 Leath St.
Jewel Floyd, 3815 Myrtle St.
Joe Martin, 3105 Gladiolus Ln.

Councilmember Walne moved to close the public hearing and authorize the private sale.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3253

Item 52: MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Authorize an amendment to the CBD Streets and Vehicular Circulation Plan and an ordinance implementing the changes in pavement width to streets associated with the City Center TIF North/South Linkages project to (1) designate Field Street between Pacific Avenue and Elm Street as a divided roadway with three lanes northbound and two lanes southbound within 59' pavement; (2) designate Field Street between Commerce Street and Jackson Street as a three-lane northbound roadway within 33' pavement; (3) designate Field Street between Jackson Street and Wood Street as two lanes northbound and one lane of parking within 30' pavement; (4) designate Field Street between Wood Street and Young Street as a two-lane northbound and a two-lane southbound roadway within 40 pavement; (5) designate Ervay Street between Pacific Avenue and Young Street as a three-lane northbound roadway within 33' pavement; (6) designate St. Paul Street between Pacific Avenue and Young Street as a three-lane southbound roadway within 33' pavement; (7) designate Harwood Street between Pacific Street and Elm Street as a two-lane northbound and two-lane southbound roadway within 44' pavement; (8) designate Harwood Street between Elm Street and Main Street as two lanes northbound with a northbound turn lane and two lanes southbound within 46' pavement; (9) designate Harwood Street between Main Street and Commerce Street as two lanes northbound and two lanes southbound with a southbound turn lane within 45'-60' pavement; and, (10) designate Harwood Street between Commerce Street and Young Street as a two-lane northbound and a two-lane southbound roadway within 44' pavement - Financing: No cost consideration to the City

Note: This amendment was considered by the City Council at a public hearing on June 28, 2000 and August 23, 2000, and was taken under advisement until October 25, 2000, with the public hearing open.

The following individual addressed the city council regarding the CBD Streets and Vehicular Circulation Plan:

William Hopkins, 2011 Leath St.

Councilmember Walne moved to postpone the ordinance until the January 24, 2001 voting agenda meeting of the city council and to continue the public hearing at that time.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3254

The consent zoning docket, consisting of agenda items 53-58, was presented.

Agenda items 54 and 58 were removed from the consent zoning docket, to be considered as individual hearings.

A public hearing was called on zoning cases on the consent zoning docket, including:

Agenda item 53: Zoning Case Z990-206/11240-C(JC)

~~Agenda item 54: Zoning Case Z990-234/11232-SE(AC)~~ **[Considered individually]**

Agenda item 55: Zoning Case Z990-247/11241-C(BP)

Agenda item 56: Zoning Case Z990-238/11236-NE(FD)

Agenda item 57: Zoning Case Z990-250/11243-SW(EB)

~~Agenda item 58: Zoning Case Z990-254/11260-SE(RB)~~ **[Considered individually]**

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

Appeared in opposition to the city plan commission recommendation:

Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z990-206/11240-C(JC)

Appearing in favor of the plan commission recommendation:

Jewel Floyd, 3815 Myrtle St., regarding Zoning Case Z990-250/11243-SW(EB)

William Hopkins, 2011 Leath St., regarding Zoning Case Z990-250/11243-SW(EB)

Councilmember Chaney moved to close the public hearing, accept the recommendation of the city plan commission in each consent zoning docket case and pass all ordinances and approve all resolutions presented as part of the consent zoning docket.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3255

Item 53: Zoning Case Z990-206/11242-C(JC)

Zoning Case Z990-206/11242-C(JC), an application for and an ordinance granting an amendment to Planned Development District No. 317, the Cedars Area Special Purpose District, to create a new subarea within Subdistrict D to allow a tower/antenna for cellular communications by Specific Use Permit; and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property located on the west corner of Griffin Street West and Akard Street.

(The city plan commission recommended approval of an amendment to PD No. 317; and approval of an SUP for a ten year time period with eligibility for automatic renewal for additional ten-year time periods, subject to a site plan and conditions.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24430 and ORDINANCE NO. 24431.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3256

Item 54: Zoning Case Z990-234/11232-SE(AC)

The consent zoning docket, consisting of agenda items 53-58, was presented.

Councilmember Chaney requested that consent zoning docket item 54 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 54 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, zoning docket item 54 was brought up for consideration.

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

A public hearing was called on zoning case Z990-234/11232-SE(AC), an application for and an ordinance granting an Historic Overlay District for Wheatley Place on property presently zoned an R-5(A) Single Family District, an R-5(A) -H/61 Single Family District with Historic Overlay No. 61, an NS(A) Neighborhood Service District, and a CR Community Retail District in an area generally bounded by Malcolm X Boulevard, Warren Avenue, Meadow Street, and McDermott Avenue.

(The city plan commission recommended approval.)

Appearing in opposition to the city plan commission recommendation:

Hassan A'se, 3122 Birmingham St.
Jewel Floyd, 3815 Myrtle St.
William Hopkins, 2100 Leath St.
Bertha Cooper, 2005 Lucille St.

Appearing in favor of the city plan commission recommendation:

Robert Foster, 2806 Tanner St.
Diane Ragsdale, 3611 Dunbar St.
Otis White, 3527 Meadow St.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-3256

Page 2

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

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

Assigned ORDINANCE NO. 24432.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3257

Item 55: Zoning Case Z990-247/11241-C(BP)

Zoning Case Z990-247/11241-C(BP), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property presently zoned an MF-2 Multiple Family Subdistrict, and an LC-D Light Commercial-Dry Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on McKinney Avenue, northeast of Oliver Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24433.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3258

Item 56: Zoning Case Z990-238/11236-NE(FD)

Zoning Case Z990-238/11236-NE(FD), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property presently zoned a CR Community Retail District on Walnut Street, west of Audelia Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24434.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3259

Item 57: Zoning Case Z990-250/11243-SW(EB)

Zoning Case Z990-250/11243-SW(EB), an application for and an ordinance granting a Planned Development District for a Public School and R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District on Skyline Road, east of Farm to Market Road 1382.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24435.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3260

Item 58: Zoning Case Z990-254/11260-SE(RB)

The consent zoning docket, consisting of agenda items 53-58, was presented.

Councilmember Fantroy requested that consent zoning docket item 58 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk 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 Councilmember Fantroy's request.

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

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

A public hearing was called on zoning case Z990-254/11260-SE(RB), an application for an IM Industrial Manufacturing District and an LI Light Industrial District on property presently zoned an A(A) Agricultural District on Bonnie View Road between Cleveland Road and Wintergreen Road and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

(The city plan commission recommended approval.)

Appearing in opposition to the city plan commission recommendation.

William Hopkins, 2011 Leath St.
Hassan A'se, 3122 Birmingham St.
Jewel Floyd, 3815 Myrtle St.

Appearing in favor of the city plan commission recommendation.

Claude Hargrove, P.O. Box 907, Lancaster, TX, representing the applicant
Marguerite Brunner, 9631 Blanco Rd.
Paul White, 9614 Blanco Rd.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-3260

Page 2

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

“Prohibit the commercial amusement (inside) use

“For Tract II, provide for a minimum setback of 100 feet along the southern property line and the southernmost 670 feet of the western property line.

and pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Fantroy abstaining; Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3261

Item 59: Public Hearing - Zoning Case Z990-248/11218-NE(BP)

A public hearing was called on an application for and an ordinance granting a Planned Development District for GO(A) General Office District Uses on property presently zoned a GO(A) General Office District on Blair Road, west of Manderville Lane.

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

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

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

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

Assigned ORDINANCE NO. 24436.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3262

Item 60: Public Hearing – Zoning Case Z990-210/11201-SE(FD)

A public hearing was called on zoning case Z990-210/11201-SE(FD), an application for and an ordinance granting a Specific Use Permit for a Vehicle Storage Lot on property presently zoned a CS Commercial Service District on S.M. Wright Freeway (South Central Expressway) north of Linfield Road.

(The city plan commission recommended approval, for a five-year time period with eligibility for automatic renewals for additional ten-year time periods, subject to a site plan and conditions. This application was considered by the City Council at a public hearing on September 13, 2000, and was taken under advisement until October 25, 2000, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

Jewel Floyd, 3815 Myrtle St.
Jurline Hollins, 1514 Homeland St.
William Hopkins, 2011 Leath.

No one appeared in favor of the city plan commission recommendation.

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

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

Assigned ORDINANCE NO. 24437.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3263

Item 61: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on a proposal for and an ordinance amending Chapters 51 and 51A of the Dallas Development Code to create new sections concerning A Sexually Oriented Businesses.

(The city plan commission recommended approval.)

Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

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

Appearing in favor of the city plan commission recommendation:

William Cothrum, 500 S. Ervay St.
Tracey Evers, 13140 Coit Rd., representing the Greater Dallas Restaurant Association
Ross Vandeerdonk, 5850 Beltline Rd.
Sandi Bailey, 302 Market St., representing the Hotel/Motel Association of Greater Dallas

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

“That “adult theaters” be classified as “inside commercial amusement” under Chapter 51, and as “commercial amusement (inside) under Chapter 51A.”

and pass the ordinance.

Motion seconded by Councilmember Blumer and unanimously adopted.

Assigned ORDINANCE NO. 24438.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3264

Item 62: Public Hearing – DEVELOPMENT CODE AMENDMENTS – INDIVIDUALS

A public hearing was called on a proposal for and an ordinance amending Chapters 51 and 51A of the Dallas Development Code to change the provisions relating to the Bar, Lounge, or Tavern Uses.

(The city plan commission recommended approval.)

Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

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

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 24439.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3265

Item 63: Public Hearing - CITY CODE AMENDMENT - INDIVIDUAL

A public hearing was called on a proposal amending Section 41A-13 and 41A-14 of Chapter 41A, of the Dallas City Code A Sexually Oriented Businesses, as amended.

(The city plan commission recommended approval.)

Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

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

Appearing in opposition to the city plan commission recommendation:

Geraldine Brown, 1623 Pine St.

Appearing in favor of the city plan commission recommendation:

Michael Young, 4300 Bank of America Plaza, representing Bank America, NA
Randy Staff, 6909 Tokalon Pl.
Linda Neel, 2927 Kendale Dr.

Councilmember Forsythe Lill moved to close the public hearing and accept the recommendation of the city plan commission.

Motion seconded by Councilmember Loza and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3266

Public Hearing - **Proposed Amendments to Chapters 14 and 41A of the Dallas City Code**

- Item 64: * A public hearing to receive citizen comments on proposed amendments to Chapters 14 and 41A of the Dallas City Code regarding dance halls and sexually oriented businesses - Financing: No cost consideration to the City
- Item 65: * An ordinance amending Chapters 14 and 41A of the Dallas City Code to revise regulations for dance halls and sexually oriented businesses - Financing: No cost consideration to the City

Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

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

The following individuals addressed the city council regarding Chapters 14 and 41A of the Dallas City Code:

Russ Vandeerdonk, 5850 Belt Line Rd., representing Go Lounge
William Cothrum, 500 St. Ervay St., representing Dance Businesses
Tracey Evers, 13140 Coit Rd., representing The Greater Dallas Restaurant Association
Sandi Bailey, 302 N. Market St., representing The Hotel/Motel Association of Greater Dallas

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Councilmember Loza moved to close the public hearing and pass the ordinance with the following changes:

1. Amend Subsections (1) and (11) of Section 14-1 of the proposed ordinance to read as follows:

“(1) APPLICANT means:

- (A) a person in whose name a license to operate dance hall will be issued;
- (B) each individual who signs an application for a dance hall license as required by Section 14-2(c); ~~and~~
- (C) each individual who is an officer of or has any ownership interest in a dance hall business (**other than a publicly held company**) for which a license application is made under Section 14-2, regardless of whether the individuals’ name or signature appears on the application; **and**
- (D) **if a dance hall business is a publicly held company, each individual who is an officer of or has a five percent or greater ownership interest in the business for which a license application is made under Section 14-2 regardless of whether the individual’s name or signature appears on the application.**

* *

(11) ~~(9)~~ LICENSSEE means;

- (A) a person in whose name a license to operate a dance hall has been issued;
- (B) each ~~[, as well as the]~~ individual listed as an applicant on the application for a dance hall license; ~~and~~
- (C) each individual who is an officer of or has any ownership interest in a dance hall business (**other than a publicly held company**) for which a license has been issued under this chapter, regardless of whether the individual’s name or signature appears on the license application; and

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-3266

Page 3

- (D) if a dance hall business is a publicly held company, each individual who is an officer of or has a five percent or greater ownership interest in the business for which a license has been issued under this chapter, regardless of whether the individual's name or signature appears on the license application."

2. Amend Subsection (8) and (18) of Section 41A-2 of the proposed ordinance to read as follows (changes to the original proposed language are in bold italics):

"(8) APPLICANT means:

- (A) a person in whose name a license to operate a sexually oriented business will be issued;
- (B) each individual who signs an application for a sexually oriented business license as required by Section 41A-4(d); ~~or~~
- (C) each individual who is an officer of or has any ownership interest in a sexually oriented business **other than a publicly held company** for which a license application is made under Section 41A-4, regardless of whether the individual's name or signature appears on the application;
and
- (D) **if a sexually oriented business is a publicly held company, each individual who is an officer of or has a five percent or greater ownership interest in the business for which a license application is made under Section 41A-4, regardless of whether the individual's name or signature appears on the application.**

(18) ~~(14)~~ LICENSEE means;

- (A) a person whose name a license to operate a sexually oriented business has been issued;
- (B) each ~~[- as well as the]~~ individual listed as an applicant on the application for a license; ~~and]~~

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-3266

Page 4

- (C) each individual who is an officer of or has any ownership interest in a sexually oriented business **other than a publicly held company**) for which a license has been issued under this chapter, regardless of whether the individual's name or signature appears on the **license** application; **and**
- (D) **if a sexually oriented business is a publicly held company, each individual who is an officer of or has a five percent or greater ownership interest in the business for which a license has been issued under this chapter, regardless of whether the individual's name or signature appears on the license application.**
3. Amend Section 5 of the proposed ordinance to provide an effective date of January 15, 2001 for those provisions of proposed Section 14-3(A)(6) and (9) and Section 41A-5(a)(4) and (9) that require the denial of a dance hall or sexually oriented business license to a business that has been operating without a valid license and for proposed Sections 14-6.1 and 41A-7.1, which require identification records to be maintained by dance halls and sexually oriented businesses.
4. Amend Section 14-3(a)(12) of the proposed ordinance to read as follows (changes to the original proposed language are in bold italics):
- “(a) The chief of police shall approve issuance of a license by the assessor and collector of taxes to an applicant within 30 days after receipt of an application unless the chief of police finds one or more of the following to be true:
- (12) **Operation of the [The] proposed hall would violate the city's zoning ordinances [is located in a zoning district that does not expressly permit a dance hall] [An applicant has not obtained a certificate of occupaney for the premises on which the applicant intends to do business as a dance hall, or the dance hall or its location would otherwise be in violation of the Dallas Development Code or any other applicable city ordinance or state or federal law]?**
5. Amend Section 41A-5(a)(10) of the proposed ordinance to read as follows (changes to the original proposed language are in bold italics):
- “(a) The chief of police shall approve the issuance of a license by the assessor and collector of taxes to an applicant within 30 days after receipt of an application unless the chief of police finds one or more of the following to be true:

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-3266

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(10) **Operation of the [The] proposed sexually oriented business would violate the city's zoning ordinances [is located in a zoning district that does not expressly permit that type of sexually oriented business.]**

6. Amend Section 14-6.1(b)(6) of the proposed ordinance to read as follows (changes to the original proposed language are in bold italics):

“(b) The registration card or file must contain the following information for each employee or individual required to be registered under Subsection (a):

(6) Driver's license number or other personal [Texas] identification number.”

7. Amend Section 41A-7.1(b)(7) of the proposed ordinance to read as follows (changes to the original proposed language are in bold italics):

“(b) The registration card or file must contain the following information for each employee or individual required to be registered under Subsection (a):

(7) Driver's [Texas—driver's] license number or other personal [Texas] identification number.”

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 24440

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3267

00-3268

Item 66: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

There were no consideration of appointments to boards and commissions.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3269

Item 67: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees is available in the City Secretary's Office)

There was no appointment of members to the DART Board.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3270

Item 68: Authorize the sale by quitclaim deed of a property located at 3626 Nomas Street, acquired by the taxing authorities from a Sheriff's Sale, to either Juan Medina or Ramiro Puentes, who submitted **tie** bids - Revenue: \$8,000

In accordance with Section 271.091 of the Texas Local Government Code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

The city secretary announced that the names of the tying bidders had been placed in a sealed envelope. Mayor Kirk drew the name of the winning bidder from the two names in the envelope.

The city secretary announced the successful bidder, as determined in the drawing, was:

Juan Medina

Councilmember Mallory Caraway moved to award the quitclaim deed of property to Juan Medina, the low bidder as determined from the proposals of the bidder and by the drawing to break the tie.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3271

Item 69: Authorize hardship relief for Frances Taylor at 3520 South Lamar Street from the South Dallas moratorium on the acceptance of applications for building permits and certificates of occupancy for certain uses - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3272

Item 70: Authorize hardship relief for Michael Smith for property at 3611 Parry Avenue from the South Dallas moratorium on the acceptance of applications for building permits and certificates of occupancy for certain uses - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3273

Item 71: A resolution supporting the designation of Interstate 30 from the west Dallas city limit to Interstate 35E as the Tom Landry Freeway and urging the 77th Legislature of the State of Texas to pass legislation designating Interstate 30 within the limits supported by the cities of Dallas, Grand Prairie, Arlington, and Fort Worth and authorize the Texas Department of Transportation to place appropriate signage establishing this name - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to approve the resolution.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3274

Item 72: Authorize a contract for the construction of the Southside Wastewater Treatment Plant dewatering facility, Building 26 and miscellaneous modifications - Cajun Constructors, Inc., lowest responsible bidder of two - \$5,782,000 - Financing: Water Utilities Capital Construction Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3275

Item 73: Authorize a contract for the construction of Southside Wastewater Treatment Plant chemical handling improvements - Cajun Constructors, Inc., lowest responsible bidder of two - \$3,364,000 - Financing: Water Utilities Capital Improvement Funds (\$2,992,000) and Water Utilities Capital Construction Funds (\$372,000)

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3276

Item 74: Authorize a contract for the construction of a 108-inch water transmission line from Lake Fork to Lake Tawakoni Part I - Pate & Pate Enterprises, Inc., lowest responsible bidder of nine - \$26,806,010 - Financing: Water Utilities Capital Construction Funds

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3277

Item 75: An ordinance establishing a fund for the deposit, investment and use of the initial grants required by Section 7, Paragraph a. of the franchises granted to Western Integrated Networks Inc. and TCI Cablevision of Dallas, Inc. on August 23, 2000 as well as initial grants required by subsequent cable television franchises - Financing: No cost consideration to the City

The following individual addressed the city council regarding Western Integrated Networks Inc.:

Mary Warner, 504 Town Creek Dr.

Councilmember Mallory Caraway moved to defer the ordinance and for the item to come back after the Telecommunications Transportation Committee meets on November 13, 2000.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

Assigned ORDINANCE NO. 24441.

11/8/00 9:53 AM
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3278

Closed Session

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

- Albert, et al. v. City of Dallas, Cause No. 199-697-94
- Hill, et al v. City of Dallas, Cause No. 95-00975-F
- Willis, et al. v. City of Dallas, Cause No. 199-200-95
- Barber, et al v. City of Dallas, Cause No. 199-624-95
- Parker, et al. v. City of Dallas, Cause No. 1-95-107
- Martin, et al v. City of Dallas, Cause No. 1-95-506
- Arrendondo, et al v. City of Dallas, Cause No. 199-1743-99
- MD, II v. City of Dallas, et al., DV98-01880-D
- MD, II v. City of Dallas, et al., DV98-08343-B
- MD, II Entertainment, Inc. v. City of Dallas, et al., DV97-08254-J
- MD, II Entertainment, Inc. v. City of Dallas, et al., 99-00755-L
- D Burch, Inc. v. City of Dallas, et al., DV98-02710-L
- D Burch, Inc. v. City of Dallas, et al., 97-06039-J
- D Burch, Inc. v. City of Dallas, et al., DV99-00756-D
- D Burch, Inc. v. City of Dallas, et al., DV98-08344-F
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08343-B
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-G
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-L
- ERAF Corporation v. City of Dallas, et al., DV98-02501-A
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-E
- Northwest Investments v. City of Dallas, et al., DV98-05801-E
- Appeal Decision of the Landmark Commission for 5420 Swiss Avenue
- Robert Jackson, Willie Taylor, Marlin Price and John Holt v. The City of Dallas, Texas; Chief of Police Terrell Bolton, in his Individual and Official Capacities; City Manager Teodoro Benavides, in his Individual and Official Capacities; and Assistant City Manager Charles Daniels, in his Individual and Official Capacities; Civil Action No. 3:00-CV-588-H consolidated with Jill Muncy, Pamela Walt, Donald Whitten, and Douglas Kowalski v. City of Dallas, Texas, and Chief of Police Terrell Bolton, in his Individual and Official Capacities, Civil Action Number 3:99-CV-2960-P
- Willard R. Rollins v. City of Dallas; Cause Nos. 3:99-CV-2249-G & DV99-07805-C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-3278

Page 2

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

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

- MD, II v. City of Dallas, et al., DV98-01880-D
- MD, II v. City of Dallas, et al., DV98-08343-B
- MD, II Entertainment, Inc. v. City of Dallas, et al., DV97-08254-J
- MD, II Entertainment, Inc. v. City of Dallas, et al., 99-00755-L

No other matters were discussed during the closed session.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3279

Addendum addition 1: Authorize adoption of the 32nd Supplemental Concurrent Bond Ordinance for the issuance of \$500,000,000 Dallas-Fort Worth International Airport Joint Revenue Commercial Paper Notes, Series A, and ordaining other matters incident and related thereto - Financing: No cost consideration to the City

Councilmembers Hill and Forsythe Lill announced that they had a conflict of interest and would abstain from voting or participating in any discussion. Councilmembers Hill and Forsythe Lill left the city council chamber.

Mayor Pro Tem Poss moved to pass the ordinance adopting the 32nd Supplemental Concurrent Bond Ordinance for the Dallas-Fort Worth International Airport Joint Revenue Commercial Paper Notes, Series A.

Motion seconded by Councilmember Loza and unanimously adopted. (Hill, Forsythe Lill abstaining)

Assigned ORDINANCE NO. 24441.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3280

Addendum addition 2: Authorize (1) a contract for demolition and site development for the new Police Headquarters facility - Architectural Utilities, Inc., lowest responsible bidder of four in the amount of \$504,000; and, (2) assignment of the contract to Centex - 3D/I, a joint venture, for construction management - \$504,000 - Financing: 1998 Bond Funds

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

Councilmember Loza moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Greyson abstaining)

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 25, 2000

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 25, 2000

00-3200

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR RON KIRK, PRESIDING

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory
Caraway, Chaney, Fantroy, Walne, Finkelman, Greyson, Blumer,
Forsythe Lill

ABSENT: [0]

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 25, 2000

00-3277

Item 75: An ordinance establishing a fund for the deposit, investment and use of the initial grants required by Section 7, Paragraph a. of the franchises granted to Western Integrated Networks Inc. and TCI Cablevision of Dallas, Inc. on August 23, 2000 as well as initial grants required by subsequent cable television franchises - Financing: No cost consideration to the City

The following individual addressed the city council regarding Western Integrated Networks Inc.:

Mary Warner, 504 Town Creek Dr.

Councilmember Mallory Caraway moved to defer the ordinance and for the item to come back after the Telecommunications Transportation Committee meets on November 13, 2000.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

~~Assigned ORDINANCE NO. 24441.~~

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