

“CORRECTED”
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 23, 2001

01-1600

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 9:23 a.m.

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

The invocation was given by Gerardo Oviedo, pastor, Templo Alabanza.

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 2:37 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, MAY 23, 2001

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 23, 2001

EXHIBIT B

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1601

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: Esther Moore, 1820 Egyptian Dr.
REPRESENTING: Daingerfield Area
SUBJECT: Unsafe alley/Paving alley

SPEAKER: Joe Martin, 3105 Gladiolus Ln.
SUBJECT: Rule of Law

SPEAKER: Gene Freeland, 9019 Mercer Dr.
SUBJECT: Cesar Chavez Holiday

SPEAKER: Linda Neel, 2927 Kendale Dr.
REPRESENTING: Bachman/Homeowner Association
SUBJECT: Cantinas/Overlake Park/Streets/Street Lights

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Profits for all or none

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Jimmy Lee, 2915 Southland St.
SUBJECT: The Enemy Within

NO SHOW

SPEAKER: Charles Ratliff, 8822 Rustown Dr.
REPRESENTING: United Cabs of Dallas
SUBJECT: Mandatory credit cards and bribery

SPEAKER: Rick Day, 4317 Fawnhallow Dr.
SUBJECT: Charles Edward Garrett

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-1601

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SPEAKER: Brenda Duff, 430 Ayres St., Hutchins, TX **CANCELED**
SUBJECT: Police

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Corruption/City Secretary/FBI/KKK

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: Independent Thinkers Association
SUBJECT: Cesar Chavez Holiday

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1602

Item 1: Approval of Minutes of the May 9, 2001 City Council Meeting

Councilmember Greyson moved to approve the minutes as corrected: To add the roll call on agenda item 76 and to strike out Councilmember Mallory Caraway as elected on agenda item 82.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1603

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-67 was presented for consideration.

The city secretary announced that the city manager had deleted agenda items 16 and 17 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Miller requested that consent agenda items 4, 10, 14, 24, 30, 34, 57 and 58 be considered as individual items. Mayor Kirk stated that consent agenda items 4, 10, 14, 24, 30, 34, 57 and 58 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Miller's request.

Councilmember Blumer requested that consent agenda item 9 be considered as an individual item. Mayor Kirk stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Greyson requested that consent agenda items 14 and 55 be considered as individual items. Mayor Kirk stated that consent agenda items 14 and 55 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Hill requested that consent agenda item 56 be considered as an individual item. Mayor Kirk stated that consent agenda item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's motion.

Councilmember Finkelman requested that consent agenda item 64 be considered as an individual item. Mayor Kirk stated that consent agenda item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's motion.

Councilmember Loza moved to approve all items on the consent agenda with the exception of consent agenda items 16 and 17 which were deleted, and consent agenda items 4, 9, 10, 14, 24, 30, 34, 55, 56, 57, 58 and 64 which would be considered later in the meeting.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1604

Item 2: Authorize a professional services contract with The Hillier Group to provide conceptual and schematic design for expansion and renovation of Cummings Recreation Center - \$39,500 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1605

Item 3: Authorize a professional services contract with Freese and Nichols, Inc. to provide a preliminary design report, final design plans, bidding and construction services, field surveying and environmental services for dredging and improvements at the lakes at Twin Lakes Park - \$79,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1606

Item 4: Authorize a professional services contract with Beck Architecture, Ltd. to provide conceptual and schematic design for expansion of the Churchill Recreation Center which includes expansion of the parking lot - \$32,000 - Financing: 1998 Bond Funds

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

Later in the meeting, agenda item 4 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1607

Item 5: Authorize a contract for the renovation of the building located at 1551 Baylor Street - Tywell Construction Corporation, lowest responsible bidder of five - \$2,557,600 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1608

Item 6: Authorize a contract for the renovation of the heating, ventilation and air conditioning system at the Forney Road Animal Shelter located at 8414 Forney Road - Atlas Refrigeration & Air Conditioning Company, Inc., lowest responsible bidder of five - \$111,486 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1609

Item 7: Authorize (1) a contract for construction of the Trammell Crow Visitor Education Pavilion at the Dallas Arboretum, (2) establishment of appropriations in the amount of \$6,193,871 in Dallas Arboretum and Botanical Society Funds and (3) acceptance of a donation of \$5,943,871 from Dallas Arboretum and Botanical Society - Meridian Commercial, Inc., lowest responsible bidder of four - \$10,570,000 - Financing: 1995 Bond Funds (\$4,876,129) and Dallas Arboretum and Botanical Society Funds (\$5,693,871)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1610

Item 8: Authorize (1) a contract for construction of a new softball complex at Kiest Park and (2) an increase in appropriations in the amount of \$525,000 in 1995 Bond Funds (\$400,000) and 1998 Bond Funds (\$125,000) - Dean Electric, Inc., dba Dean Construction, lowest responsible bidder of three - \$3,016,537 - Financing: 1995 Bond Funds (\$1,042,340) and 1998 Bond Funds (\$1,974,197)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1611

Item 9: Authorize a contract for the reconstruction of street paving, sidewalks, water and wastewater improvements on Marsh Lane from Forest Lane to Weeburn Drive and the southbound side of Marsh Lane from Royal Lane to Princess Lane - Texas Sterling Construction, Inc., lowest responsible bidder of eight - \$937,979 - Financing: 1998 Bond Funds (\$855,077), Water Utilities Capital Construction Funds (\$82,902)

Councilmember Blumer requested that consent agenda item 9 be considered as an individual item. Mayor Kirk stated that consent agenda item 9 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 9 was brought up for consideration.

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Miller and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1612

Item 10: Authorize a contract for the replacement of water and wastewater mains at various locations in an area bounded by Westmoreland Road, Irving Boulevard S.H. 356, Walton Walker Boulevard, S.H. 183, Mockingbird Lane, Dallas North Tollway, I.H. 35E and Illinois Avenue - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of ten - \$2,341,843 - Financing: Water Utilities Capital Improvement Funds

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

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

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1613

Item 11: Authorize a contract for the construction of East Side Water Treatment Plant process improvements and ozone facilities - Archer Western Contractors, Ltd., lowest responsible bidder of three - \$30,170,000 - Financing: Water Utilities Capital Construction Funds (\$346,000) and Water Utilities Capital Improvement Funds (\$29,824,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1614

Item 12: Authorize (1) an increase in the contract with CMPA, Inc./CMS, Inc. Joint Venture for furnishing and installing vinyl floor tile in the exhibition hall and coupon counting offices; and wall modifications at the concession area for the Tower Building, Phase III at Fair Park and (2) an increase in appropriations in the amount of \$173,191 in State Fair of Texas Capital Construction Funds - \$181,471, from \$5,284,409 to \$5,465,880 - Financing: State Fair of Texas Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1615

Item 13: Authorize an increase in the contract with Camino Construction, Inc. for the construction of drainage improvements to Barbaree Boulevard and St. Francis Avenue at Ash Creek - \$50,600, from \$786,603 to \$837,203 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1616

Item 14: Authorize an increase in the contract with Barson Utilities, Inc. for the relocation and replacement of an existing 24-inch water main in Forest Lane between Wooded Gate Drive and High Forest Drive - \$167,186, from \$2,614,500 to \$2,781,686 - Financing: Water Utilities Capital Improvement Funds

Councilmembers Miller and Greyson requested that consent agenda item 14 be considered as an individual item. Mayor Kirk stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Miller and Greyson's request.

Later in the meeting, agenda item 14 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

May 23, 2001

01-1617

Item 15: Authorize an Interlocal Agreement with the Texas Department of Transportation for the development of the City of Dallas Bicycle Safety Program - \$623,040 - Financing: Texas Department of Transportation Grant Funds (\$498,432), 1995 Bond Funds (\$124,608)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1618

Item 16: **Frontiers of Flight Museum**

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for the design and construction of the Frontiers of Flight Museum at Dallas Love Field - \$1,344,420 - Financing: Private Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1619

Item 17: **Frontiers of Flight Museum**

- * Authorize (1) a Participation Agreement with the Frontiers of Flight Museum for the design and construction of a Frontiers of Flight Museum at Dallas Love Field, (2) the receipt and deposit of funds from the Frontiers of Flight Museum in an amount not to exceed \$1,344,420, and (3) an increase in appropriations in the amount of \$1,344,420 in the Capital Projects Reimbursement Fund - \$1,344,420 - Financing: Private Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1620

Item 18: **McKinney Avenue Transit Authority Streetcar Renovation Project**

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for the McKinney Avenue Transit Authority Streetcar Renovation Project - \$177,450 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1621

Item 19: **McKinney Avenue Transit Authority Streetcar Renovation Project**

- * Authorize (1) a Participation Agreement with the McKinney Avenue Transit Authority for the design and construction of the McKinney Avenue Transit Authority Streetcar Renovation Project, (2) the receipt and deposit of funds from McKinney Avenue Transit Authority in an amount not to exceed \$177,450, and (3) an increase in appropriations in the amount of \$177,450 in the Capital Projects Reimbursement Fund - \$177,450 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1622

Item 20: Authorize a one-year lease, with fourteen one-year renewal options with the Federal Aviation Administration of various locations on and off airport for localizer, glide slope, and middle marker sites at Dallas Love Field Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1623

Item 21: Authorize (1) the Second Amendment to the lease agreement with Buckner & I-30, Ltd. for approximately 1,407 additional square feet of office space located in Towne Market Shopping Center, 3312 N. Buckner Boulevard, to be used for the Women, Infants, and Children Program and Maternal Child Health Services and (2) extending the lease for 4 years - \$317,262 - Financing: Current Funds (\$92,862) and Texas Department of Health Grant Funds (\$224,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1624

Item 22: Authorize a relocation payment to Document Express Company resulting from the acquisition of a building located near the intersection of Ross Avenue and Routh Street for the Performing Arts Center Project - Not to exceed \$26,361 - Financing: 1998 Bond Funds (\$19,771) Performing Arts Complex Funds (\$6,590)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1625

Item 23: Authorize the sale of a single family residence and adjoining vacant lot to Mary Jo Shelton, the highest of 7 bidders, located at 911 and 913 Colony Ridge Court, Irving, Texas, acquired by the cities of Dallas and Fort Worth in connection with the D-FW International Airport Noise Mitigation Program for the new runway expansion project - Revenue: \$150,000 - proceeds to be retained in the D-FW International Airport Mitigation Program (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1626

Item 24: Authorize the purchase of Oracle software license and a thirty-six-month maintenance and support agreement for replacement of the existing 3-1-1/CRM system with Oracle Corporation through the State of Texas, Department of Information Resources - Sole Source - Not to exceed \$1,290,680 - Financing: Current Funds (\$599,040 subject to annual appropriations), 2000 Equipment Acquisition Contractual Obligation Notes (\$691,640)

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

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1627

Item 25: Authorize a thirty-six-month multiple award price agreement for intravenous sets and solutions with the lowest responsible bidders of four - Sun Belt Medical/Emergi Source and Emergency Medical Products - Not to exceed \$536,993 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1628

Item 26: Authorize a thirty-six-month price agreement for Akron, Elkhart and Snaptite parts with the lowest responsible bidder of four - Four Alarm Fire Equipment - Not to exceed \$108,300 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1629

Item 27: Authorize a thirty-six-month price agreement for removal and disposal of bio-hazard medical waste with the only bidder - EnviroClean Management Services, Inc. - Not to exceed \$228,990 - Financing: Current Funds (\$216,240), Texas Department of Health Grant Funds (\$12,750)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1630

Item 28: Authorize the rejection of bids received for powdered beverages and authorize the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1631

Item 29: Authorize a twenty-four-month price agreement for automation system, including the maintenance and optional purchase of LANs, proprietary software and services with the only bidder - Data Research Associates, Inc. - Sole Source - Not to exceed \$373,545 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1632

Item 30: Authorize a thirty-six-month price agreement for library books, processing and cataloging services with the lowest responsible bidder of three - Ingram Library Services - Not to exceed \$6,801,195 - Financing: Current Funds

Councilmember Miller requested that consent agenda item 30 be considered as an individual item. Mayor Kirk stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

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

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1633

Item 31: Authorize the rejection of bids received for library periodicals and authorize the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1634

Item 32: Authorize a thirty-six-month price agreement for traffic signal heads with the lowest responsible bidder of six for standard signal heads - Hi-Tech Signals, Inc. - Not to exceed \$212,488 - and the lowest responsible bidder of six for pedestrian crossing heads - McCain Traffic Supply, Inc. - Not to exceed \$63,346 - Total not to exceed \$275,834 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1635

Item 33: Authorize the purchase of 8,074 admission tickets from Six Flags Hurricane Harbor for the summer youth programs - Sole Source - Not to exceed \$140,400 - Financing: Current Funds (\$80,743) Walker Consent Decree Funds (\$24,837) and 2000-01 Community Development Grant Funds (\$34,820)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1636

Item 34: Authorize a twelve-month price agreement for bedding plants with the lowest responsible bidders of seven - Foster's Garden Center (\$43,144), Southwest Landscape Nursery Company (\$15,366), and Abbott-Ipco, Inc. (\$57,563) - Not to exceed \$116,073 - Financing: Current Funds (\$99,873) and Aviation Current Funds (\$16,200)

Councilmember Miller requested that consent agenda item 34 be considered as an individual item. Mayor Kirk stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 34 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1637

Item 35: Authorize a thirty-six-month price agreement for grounds care at the Central Wastewater Treatment Plant and the Cadiz Street Pump Station with the lowest responsible bidder of four - F. Hall Mowing - Not to exceed \$353,300 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1638

Item 36: Authorize a twenty-four-month price agreement for barricades with the lowest responsible bidders of six - Rack Shop Industries and Axact Technologies, Inc. dba Crown Metals Corporation - Not to exceed \$344,078 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1639

Item 37: Authorize a thirty-six-month price agreement for anhydrous ammonia with the lowest responsible bidder of two - BBB Fertilizer Co. - Not to exceed \$1,318,637 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1640

Item 38: Authorize a thirty-six-month price agreement for electric motor repair with the lowest responsible bidders of six - Brandon & Clark, Inc. and Sermco Industries, Inc. - Not to exceed \$1,296,480 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1641

Item 39: Authorize a thirty-six-month price agreement for laboratory services with the lowest responsible bidder of four - Certes Environmental Laboratories, L.L.C. - Not to exceed \$331,357 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1642

Item 40: Authorize the purchase of continuous cast bronze bearing metal stock in various sizes for the Water Utilities machine shop located at 4120 Scottsdale from the lowest responsible bidder of two - McMurray Metals Co. - Not to exceed \$64,107 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1643

Item 41: Authorize the purchase of printing services for the Water Quality Report from the lowest responsible bidder of five - AC Printing - Not to exceed \$63,145 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1644

Item 42: Authorize the ratification of an emergency purchase to rent trench shoring boxes for repairs on the 84-inch water main at 4875 W. Lawther - NES Trench Shoring - \$21,600 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1645

Item 43: Authorize the ratification of emergency repairs for testing and analysis of the 84-inch White Rock North water transmission main in the vicinity of Northwest Highway and Lawther Drive - Black & Veatch Corporation - \$175,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1646

Item 44: Authorize the ratification of emergency repairs for testing and analysis of the 84-inch White Rock North water transmission main in the vicinity of Northwest Highway and Lawther Drive - Half Associates, Inc. - \$232,300 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1647

Item 45: Authorize the ratification of emergency repairs for testing investigation of the 54-inch and 84-inch White Rock North water transmission main in an area bounded by Samuell Boulevard, Belt Line Road, Walnut Hill Lane and Abrams Road - The Pressure Pipe Inspection Company, Ltd. - \$419,378 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1648

Item 46: Authorize settlement of a lawsuit, styled Patricia Harrison v. City of Dallas, Cause No. DV00-03457-I - \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1649

Item 47: Authorize settlement of a lawsuit, styled Samuel Few v. City of Dallas, Cause No. DV99-09250-C - \$37,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1650

Item 48: Authorize Supplemental Agreement No. 1 to the contract with Alliance Legal Staffing, for additional paralegal services - Not to exceed \$1,400, from \$15,000 to \$16,400 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1651

Item 49: Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program for homeowner, Rosie Mae Culpepper, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 1999-00 Community Development Grant Funds (\$27,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1652

Item 50: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program for homeowner Viola McKinney, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 1999-00 Community Development Grant Funds (\$27,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1653

Item 51: Authorize (1) a public hearing to be held on June 27, 2001, to receive citizens' comments on re-establishing the public improvement district, known as the Dallas Downtown Improvement District (the "District"), for the purposes of providing supplemental public services and improvements, to be funded by assessment on real property and real property improvements located in the District; and (2) consideration at the close of the hearing of a resolution renewing and re-establishing the Dallas Downtown Improvement District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1654

Item 52: **Mercantile Complex, L.P.**

- * Authorize (1) a real property tax abatement agreement with Mercantile Complex, L.P., and its lessors Susan D. Horton, LTR Ventures #2 LTD, CSR Ventures, LTD, Cruger S. Ragland & Alphonso Ragland III & Lila Ragland Brown and Alphonso Ragland III for the purpose of granting a ten-year abatement for 90% of the taxes on added value to the real property, and (2) a 100 percent Development Fee Rebate in an amount not to exceed \$445,000 for the construction of a parking garage (Garage Building) and improvements to the Mercantile Bank Building and Mercantile Securities Building, bounded by Main, St. Paul, Commerce and Ervay Streets in City of Dallas Enterprise Zone One, and subject to Mercantile Complex, L.P., obtaining the consent of other participating jurisdictions by December 31, 2001 and subject to designation of the Mercantile Bank and Securities Buildings as City of Dallas Landmarks by December 31, 2001 - Revenue: First year tax revenue estimated at \$3,400; Ten-year revenue is estimated at \$104,200 (Estimated foregone revenue for ten-year real property tax abatement \$938,400) - \$445,000 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1655

Item 53: **Mercantile Complex, L.P.**

- * Authorize a Preservation Incentives Tax Abatement for Mercantile Bank Building and Mercantile Securities Building, Dallas, Texas in accordance with the incentive package authorized by the City Council, Resolution No. 01-0820, approved on February 28, 2001 - Revenue: Estimated foregone revenue for 15-year tax abatement \$3,387,100 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1656

Item 54: Authorize a professional services contract with Economics Research Associates for the development of the RSR Superfund Pilot Redevelopment Plan including coordination of community participation - \$98,000 - Financing: EPA RSR Superfund Site Redevelopment Pilot Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1657

Item 55: Authorize the acceptance of grant funds from the State of Texas General Services Commission for video conferencing services for the period October 1, 2000 through September 30, 2003 - \$60,000 - Financing: State of Texas General Services Commission Grant Funds

Councilmember Greyson requested that consent agenda item 55 be considered as an individual item. Mayor Kirk stated that consent agenda item 55 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 55 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1658

Item 56: Authorize a Community Housing Development Organization Program loan to Operation Relief Center, Incorporated to rehabilitate the 300-unit Woodland City Apartments located at 202 South Jim Miller Road, which after rehabilitation, will contain 294 units and a Learning Center and Community Center for resident services; a minimum of 16 units will be deed restricted for affordability - Not to exceed \$400,000 - Financing: 1997-98 HOME Funds

Councilmember Hill requested that consent agenda item 56 be considered as an individual item. Mayor Kirk stated that consent agenda item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Later in the meeting, agenda item 56 was brought up for consideration.

Councilmember Fantroy moved to approve the item with the following change:

Subject to the legal review and approval of the City Attorney's Office for compliance with applicable state and federal regulations, Operation Relief Center, Inc. will transfer the project to a single purpose non-profit corporation entity known as Woodland Learning Center Development Corporation prior to the completion of the rehabilitation of the project.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1659

Item 57: Authorize the City of Dallas Housing Finance Corporation to include its: (1) Single Family Mortgage Revenue Bonds, Series 2001A and Series 2001B, and (2) the unexpended proceeds of its Single Family Mortgage Revenue Bonds, Series 2000A-1 and 2000A-2 as part of the DHFC's Recycling Program, thereby providing for the refunding from time to time of a portion of such bonds with proceeds of its Single Family Mortgage Revenue Refunding Bonds, Drawdown Series 2000 (the "Drawdown Bonds") with anticipated refund of the Drawdown Bonds one or more times on or before their maturity on November 25, 2004, which refunding(s) will make available amounts which will be used to provide home mortgage financing for persons of low and moderate incomes to purchase residences located within the City of Dallas - Financing: No cost consideration to the City

Councilmember Miller requested that consent agenda item 57 be considered as an individual item. Mayor Kirk stated that consent agenda item 57 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

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

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Chaney.

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

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

OFFICIAL ACTION OF THE DALLAS CITY CONCIL

May 23, 2001

01-1660

Item 58: Authorize a contract for the design, fabrication and installation of a painted mural by artist, Hank Black, in the Dallas Zoo Restaurant - Not to exceed \$70,000 - Financing: 1998 Bond Funds

Councilmember Miller requested that consent agenda item 58 be considered as an individual item. Mayor Kirk stated that consent agenda item 58 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

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

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1661

Item 59: Authorize a one-year contract with two one-year renewal options with Science Safari to provide 146 after school and 57 summer science programs at twenty-two Community Development Block Grant After School Program sites - \$37,352 - Financing: 2000-01 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1662

Item 60: Authorize application for a grant from the National Park Service for the Save America's Treasures grant program for the conservation of six monumental sculptures and for restoration and conservation of two fountain pylons along the Esplanade in front of the Centennial and Automobile Buildings at Fair Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1663

Item 61: Authorize a ten-year Joint Recreational Facilities Agreement with the Town of Sunnyvale to construct, maintain and operate recreation facilities at Samuell Farm North and Samuell New Hope Parks - Financing: No cost consideration to the City

Approved as part of the consent agenda.

“CORRECTED”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1664

Item 62: An ordinance authorizing a change of zoning from a TH-2(A) Townhouse District to an MF-2(A) Multifamily District on property located on Military Parkway, east of St. Augustine Road and a resolution accepting a deed restriction instrument volunteered by the applicant in conjunction with the change of zoning (Z001-154/11371-SE(EB) - Financing: No cost consideration to the City

~~Approved as part of the consent agenda.~~

NOTICE: This item was placed on the agenda in error by the Planning and Development Department. The item was previously approved on April 17, 2001, File 01-1269, Ordinance 24582.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1665

Item 63: Authorize application for the ninth-year continuation of the Commercial Auto Theft Interdiction Squad grant in an amount of \$650,000 to provide a specialized proactive automobile theft program, from the Texas Automobile Theft Prevention Authority, for a total amount of \$694,525, for the period September 1, 2001 through August 31, 2002 (local match in the amount of \$44,525, or 6% of all expenses, will be required if awarded) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1666

Item 64: Authorize (1) a professional services contract with Parsons Transportation Group, Inc. for an in-depth intersection traffic operation and safety study for the intersection of Belt Line Road and Preston Road in an amount not to exceed \$20,000, (2) the receipt and deposit of funds from State Farm Mutual Automobile Insurance Company in an amount not to exceed \$20,000, and (3) an increase in appropriations in the amount of \$20,000 in the Capital Projects Reimbursement Fund - \$20,000 - Financing: Private Funds

Councilmember Finkelman requested that consent agenda item 64 be considered as an individual item. Mayor Kirk stated that consent agenda item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, agenda item 64 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1667

Item 65: Authorize submission of the list of candidate projects for the Texas Department of Transportation Statewide Transportation Enhancement Program Call for Projects and authorize acceptance and implementation of the projects selected by the Texas Transportation Commission for this program - Financing: The City's match will not exceed \$12,000,000 and can be approved in a future bond program, other city funds, or private funding sources

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1668

Item 66: Authorize a contract with Stonebriar Country Club Joint Venture to permit use of interruptible untreated water from a tributary to Stewart Creek upstream of the Lake Lewisville Dam for five years with two five-year extensions each for irrigation of the Stonebriar Country Club located in Frisco, Texas - Revenue: \$14,476 in FY 2001-02, \$14,226 in FY 2002-03 annually thereafter

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1669

Item 67: Authorize a contract with Lantana Golf Club, represented by Rayzor Ranch L.P., to permit use of interruptible untreated water from the Loving Branch, a tributary of Lake Lewisville, for five years with two five-year extensions each for irrigation of the Lantana Golf Club course located in an unincorporated area of Denton County, Texas
- Revenue: \$23,486 in FY 2001-02, \$23,236 in FY 2002-03 annually thereafter

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1670

Item 68: Miscellaneous Hearing

A public hearing to receive citizens' comments, and an ordinance readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city-sponsored youth programs in compliance with State law - Financing: No cost consideration to the City

No one addressed the city council regarding City Youth Program Standards of Care.

Councilmember Forsythe Lill moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 24611.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1671

CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 69-71, was presented.

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

Agenda item 69: Zoning Case Z001-167/11386-SW(JC)

Agenda item 70: Zoning Case Z001-176/10682-C(JC)

Agenda item 71: Zoning Case Z001-179/11407-NW(EB)

In all 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 recommendation.

Councilmember Loza 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 Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1672

Item 69: Zoning Case Z001-167/1386-SW(JC)

Zoning Case Z001-167/1386-SW(JC), an application for and an ordinance granting a Specific Use Permit for a Private School on property presently zoned a TH-2(A) Townhouse District located east of Indian Ridge Trail on Camp Wisdom Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24612.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1673

Item 70: Zoning Case Z001-176/10682-C(JC)

Zoning Case Z001-176/10682-C(JC), an application for and an ordinance granting an amendment to Specific Use Permit No. 1374 for a public school to allow an 800 square foot addition to an existing building on property presently zoned Conservation District No. 6, the Hollywood/Santa Monica Conservation District, located on the northeast corner of Tenison Memorial Road and Lindsley Drive .

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

Approved as part of the consent zoning docket.

Assigned ORDINANE NO. 24613.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1674

Item 71: Zoning Case Z001-179/11407-NW(EB)

Zoning Case Z001-179/11407-NW(EB), an application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment to be used as a bar, lounge or tavern on property presently zoned an IR Industrial Research District located on the west side of Spangler Road, north of Northwest Highway.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24614.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1675

Item 72: Public Hearing – Zoning Case Z001-157/1373-SW(EB)

A public hearing was called on zoning case Z001-157/1373-SW(EB), an application for an R-5(A) Single Family District on property presently zoned an R-10(A) Single Family District located south of Red Bird Lane on the west side of Westmoreland Road.

(The city plan commission recommended denial without prejudice.)

Appearing in opposition to the city plan commission recommendation:

Charles Griffith, 2801 Garden Oaks, Grand Prairie, TX
S. Gabriel Ekpo, 4167 Pleasant Run, Irving, TX

Appearing in favor of the city plan commission recommendation:

Frank Wooten, 4125 S. Cedar Cir.
Dan Webb, 4115 N. Cedar Cir.

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

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1676

Item 73: Public Hearing – Zoning Case Z990-242/8018-C(RB)

A public hearing was called on zoning case Z990-242/8018-C(RB), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1234 for a Mini-Warehouse on property presently zoned Planned Development District No. 305 and an MF-2(A) Multifamily District on property located on either side of Thomas Avenue between North Central Expressway and Washington Avenue.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on May 9, 2001, and was taken under advisement until May 23, 2001, with the public hearing open.)

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

Councilmember Forsythe Lill moved to postpone the application until the June 13, 2001 voting agenda meeting of the city council with the following changes:

- a) Removing the existing attached premise sign located on the north side of the office building, prior to a final inspection for a new detached premise sign located on the amended site plan;
- b) Setting the gate on Washington Avenue twenty feet back from the curb line; and,
- c) Bringing a revised site plan and ordinance back to the council

and to continue the public hearing at that time.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1677

Item 74: Public Hearing – FLOODPLAIN APPLICATION

A public hearing was called on an application for a fill permit and removal of the flood plain (FP) prefix from 1.0 acre of land, zoned Multi-Use 3, currently in the 100-year flood plain of Elm Fork of the Trinity River located at the southwest corner of the intersection of Technology Boulevard East and Technology Boulevard West - Fill Permit 00-07 - Financing: No cost consideration to the City.

The following individual addressed the city council regarding the flood plain application:

Charles Allen, 615 S. Montclair Ave. **(OPPOSE)**

Councilmember Mallory Caraway moved to close the public hearing and approve the application.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1678

Item 75: Public Hearing - THOROUGHFARE PLAN AMENDMENTS

A public hearing was called on to authorize an amendment to the Thoroughfare Plan to downgrade Corinth Street from Lamar Street to Industrial Boulevard from a six-lane divided roadway to a four-lane divided roadway - Financing: No cost consideration to the City.

No one addressed the city council regarding the Thoroughfare Plan.

Councilmember Loza moved to close the public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 24615.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1679

Public Hearing - BENEFIT ASSESSMENT HEARING

Street Group 98-428

Brownlee Avenue to Saner Avenue

Norfolk Avenue to Dudley Street

Item 76: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements

Item 77: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements - Financing: No cost consideration to the City

A public hearing was called to receive citizens comments on a proposal to levy benefit assessments for street paving, for Street Group 98-428 from Brownlee Avenue to Saner Avenue, and Norfolk Avenue to Dudley Street.

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

Councilmember Mallory Caraway moved to close the public hearing and pass the ordinance levying the assessments.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

Assigned ORDINANCENO. 24616.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1680

Public Hearing - BENEFIT ASSESSMENT HEARING

Thurston Drive from Anson Road to Burbank Drive

- Item 78: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements
- Item 79: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements - Financing: No cost consideration to the City

A public hearing was called to receive citizens comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements on Thurston Drive from Anson Road to Burbank Drive.

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

Councilmember Loza moved to close the public hearing and pass the ordinance levying the assessments.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 24617.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1681

Public Hearing - BENEFIT ASSESSMENT HEARING

Lawther Drive east of Fisher Drive

- Item 80: * Benefit assessment hearing for construction of 500 feet of wastewater main in a portion of Lawther Drive located east of Fisher Drive
- Item 81: * Ordinance levying benefit assessments for the construction of 500 feet of wastewater main in a portion of Lawther Drive located east of Fisher Drive

A public hearing was called to receive comments on a proposal to levy benefit assessments for construction of 500 feet of wastewater main in a portion of Lawther Drive located east of Fisher Drive.

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

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

Assigned ORDINANCE NO. 24618.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1682

01-1683

Item 82: Consideration of appointments to boards and commissions (List of nominees is available in the City Secretary's Office)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1684

Item 83: An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc., dba AT&T Cable Services, for basic service tier and installation and equipment - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

Assigned ORDINANCE NO. 24619.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1685

Item 84: Authorize an extension to the moratorium on the acceptance of building permits and certificates of occupancy for truck stops, hotel or motel uses located within the I-20 corridor, and flea markets or bazaars located within the City of Dallas until September 12, 2001 - Financing: No cost consideration to the City **(Requires a 3/4 vote of the full City Council for approval)**

Councilmember Fantroy moved to waive city council rule No. 7.12(b) regarding newspaper notification of moratorium extensions. Notice of this item was published 14 days in advance, rather than the 15 days required.

Motion seconded by Councilmember Chaney and unanimously adopted.

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Chaney.

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

Voting Yes:	[13]	Kirk, Poss, Loza, Miller Thornton Reese, Mallory Caraway, Chaney, Fantroy, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	
Absent when vote taken:	[2]	Salazar, Hill

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1686

Item 85: Authorize hardship relief for Robert's Ready to Wear at 1636 Martin Luther King, Jr. Boulevard 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 Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1687

Item 86: Authorize hardship relief for Alpha VII, Inc. on property at 3120 Grand 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 defer the item until the June 13, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1688

Item 87: Authorize hardship relief for Paul Nance on property at 2200 Second 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 defer the item until the June 13, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1689

Item 88: Authorize the private sale, pursuant to Section 34.015 of the Texas Property Tax Code, by quitclaim deed of 10 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to TXS United Housing Program, Inc. - Revenue: \$10,000

The following individuals were in favor of the private sale but did not speak:

Viola Valdez, 4220 Honey Tree Ln., representing United Housing Program **(FAVOR)**
Debra Kroupa, 8545 Midpark Rd., representing United Housing Program **(FAVOR)**
Gary Allen, 5507 Riverside Dr., representing Texas United Housing Program **(FAVOR)**
Irma Salas, 3156 Hudnall St. **(DID NOT INDICATE POSITION)**
Wendy Reyes, 6050 Ridgecrest Rd. **(FAVOR)**
Maria Ortiz, 3310 Hudnall St. **(FAVOR)**
Ma-Elena Cuellar, 3310 Hudnall St. **(FAVOR)**
Zoela Pineda, (residence addressed not given) **(DID NOT INDICATE POSITION)**
Lady Ferguson, 4839 Parry Ave., representing Texas United Housing Program **(DID NOT INDICATE POSITION)**
Lois Warren, 1728 Bannock St. **(FAVOR)**
Elida Alvarado, 4537 Bessie Dr., representing Texas United Housing Program **(FAVOR)**

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1690

Closed Session

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

- 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, Civil Action No. 3:99-CV-2249-G

The posed closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1691

Addendum addition 1: Authorize an amendment to the City of Dallas Public/Private Partnership Program Guidelines & Criteria to create a living wage bonus that will promote the creation of higher paying jobs in companies receiving tax abatements - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the amendment:

Victor Smith, 1423 W. Red Bird Ln., representing NAACP
Kenneth Day, 3446 Boulder Dr., representing Amalgamated Transit Union
Charles Stovall, 1300 W. Camp Wisdom Rd., representing Southern Christian Leadership Conference
Linda Daniels, 2549 Mossglen Dr., representing ACORN
Carol Trevino, 1901 Moser Ave.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Finkelman.

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

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory
Caraway, Chaney, Fantroy, Walne, Finkelman, Greyson, Forsythe Lill
Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1692

Addendum addition 2: Authorize an increase in the professional services contract with Mason Tillman & Associates, Ltd. for the performance of an Availability and Disparity Study of minority contracting opportunities for the City of Dallas - \$66,821, from \$400,000 to \$466,821 - Financing: Current Funds

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Hill.

Councilmember Finkelman asked Councilmember Thornton Reese if she would accept a friendly amendment to include in the contract the dollar amount up to but not to exceed \$66,821.

Councilmember Thornton Reese accepted the amendment as part of her motion.

Councilmember Hill, who seconded the original motion, also accepted the amendment and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1693

Addendum addition 3: Authorize the City Depository/City Treasurer contract with John A. Wright and his affiliated banking institution, Bank One, NA for a two-year period from July 1, 2001 through June 30, 2003 with an option to extend for an additional two years - Not to exceed \$1,250,005 annually - Financing: Current Funds

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

Mayor Pro Tem Poss moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1694

Addendum addition 4: An ordinance abandoning a portion of a sanitary sewer easement, containing approximately 949 square feet of land to Neighbors United for Quality Education, the abutting owner, located near the intersection of Lindsley Avenue and Tenison Memorial Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Forsythe Lill moved to pass the ordinance.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 24620.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1695

Addendum addition 5: An ordinance authorizing a change of zoning from an NO(A)-D-1 Neighborhood Office-Dry-1 District to a Planned Development District for office, retail and commercial uses with retention of the Dry-1 overlay on property located on the southwest corner of the intersection of Buckner Boulevard and Samuel Boulevard (Z001-161/10971-SE(JC) - Financing: No cost consideration to the City

Councilmember Chaney moved to defer the ordinance until the June 13, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1696

Addendum addition 6: **Mockingbird Lane Streetscape**

- * Authorize a professional services contract with RTKL Associates, Inc. to provide engineering services for streetscape and pedestrian enhancements on Mockingbird Lane from the west city limit near Airline Drive to Matilda Street - \$83,000 - Financing: 1995 Bond Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1697

Addendum addition 7: **Mockingbird Lane Streetscape**

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for the City's share of the state engineering review cost associated with streetscape and pedestrian enhancements on Mockingbird Lane from the west city limit near Airline Drive to Matilda Street - \$2,394 - Financing: 1995 Bond Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1698

Addendum addition 8: Authorize a professional services contract with the law firm of Case Carter Salyers & Henry, P.C., for legal services necessary in the lawsuit, styled Robert Jackson, Willie Taylor, Marlin Price and John Holt vs. 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 vs. City of Dallas, Texas, and Chief of Police Terrell Bolton, in his Individual and Official Capacities, Civil Action No. 3:99-CV-2960-P, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000 - Financing: Current Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1699

Addendum addition 9: Authorize an application to the Texas Department of Economic Development nominating Western Integrated Networks, LLC, located in the City of Dallas Enterprise Community/Enterprise Zone at 1409 South Lamar and 2229 Cockrell Avenue, Dallas, Texas 75215, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

The city secretary announced that the city manager had deleted addendum addition 9 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1701

Addendum addition 10: Authorize an application to the Texas Department of Economic Development nominating Pro-Line International, Inc., located in City of Dallas Enterprise Zone One at 2121 Panoramic Circle, Dallas, Texas 75212, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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01-1700

Addendum addition 11: An ordinance repealing Ordinance No. 24493 and authorizing acquisition of approximately 108,300 square feet of land needed for the Police Headquarters in exchange for the abandonment of portions of Austin, Corinth and Montgomery Streets to G-Dallas I Realty Ltd., Sears, Roebuck and Co., and Two Jacks Corporation, the abutting owners, containing approximately 84,636 square feet of land located near the intersection of Austin and Corinth Streets and authorizing the quitclaim - Financing: No cost consideration to the City

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

Assigned ORDINANCE NO. 24621.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1702

Addendum addition 12: An ordinance amending Chapter 34 of the Dallas City Code to establish a Cesar E. Chavez holiday for City employees and to eliminate President's Day as a holiday for City employees - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Cesar E. Chavez holiday:

Julie Chavez-Rodriguez, 1741 S. Harvard Blvd., California
Pancho Medranco, 2346 Douglas Ave.
Diana Flores, 724 Mountain Lake Rd.
Lico Reyes, 2815 Forest Hollow Ln., Arlington, TX, representing Public Workers Association
Tom Kamp, 3500 Maple Ave.
Roberto Alonzo, 529 Hoel Dr., representing Mexican American Democrats

The following individuals were in favor or opposition of Cesar E. Chavez holiday but did not speak:

Taylor Brannon, 1514 Homeland St., representing Youth Political Action Coalition **(FAVOR)**
Cathy Villarreal, 3127 Brandon St., representing Familias Unidas **(FAVOR)**
Maria Dominquez, 8934 Rosecliff Dr., representing Familias Unidas **(FAVOR)**
Gene Lantz, 818 Elsbeth Ave., representing United Auto Workers Local 848 **(FAVOR)**
R.C. Bunger, 15151 Berry Trl., **(OPPOSITION)**
Daniel Hernandez, 416 Martinique Ave. **(FAVOR)**
Ted Hernandez, 3617 N. Clinton Ave., Fort Worth, TX **(OPPOSE)**
Phil Bayman, 1000 Henderson St., Fort Worth, TX **(OPPOSE)**

Deputy Mayor Pro Tem Salazar moved to pass the ordinance with the following changes:

That Cesar E. Chavez holiday for city employees will be observed on the 1st Monday in September with Labor Day.

Motion seconded by Councilmember Chaney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-1702

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

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

Voting No: [0]

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24622.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1703

Addendum addition 13: An ordinance adopting Dallas/Fort Worth International Airport Board Resolution Nos. 2001-01-17, 2001-01-42 and 2001-05-78, which amend the Airport Board's Code of Rules and Regulations to provide regulations for ground transportation; establish speed limits on Airport roadways; regulate picketing, solicitations, and other personal conduct on Airport property; establish administrative adjudication procedures and civil penalties for parking violations; and increase criminal penalties for violations of the Airport's Rules and Regulations - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Dallas/Forth Worth International Airport Board:

Tunde Obazee, 6130 Glenview Dr., North Richland Hills, TX
Harbi Hassan, 1228 N. Britton, Irving, TX
Ocie Okafor, 1927 Shoas Dr., Irving, TX

Councilmember Mallory Caraway moved to amend Section 2 of the proposed ordinance with the following changes:

Section 2. That Resolution Nos. 2001-01-17, 2001-01-42, and 2001-05-78 of the Dallas-Forth Worth International Airport Board, duly certified copies of which are attached hereto as Exhibit A and made a part of this ordinance by reference, are hereby approved except as follows:

- A. Section 6 of Chapter 4 of the Code of Rules and Regulations (as set forth in Resolution No. 2001-01-17), which establishes rates of fare for limousine, shared-ride, and taxicab service at the airport and fare collection procedures for taxicabs, is not adopted, but shall instead read as stated in Resolution No. 2001-02-54, adopted by the Dallas-Forth Worth International Airport Board on February 1, 2001 and approved by the city council by Ordinance No. 24539 on February 28, 2001.
- B. Section 7-5(I)(H) of Chapter 4 of the Code of Rules and Regulations (as set forth in Resolution Nos. 2001-01-17 and 2001-05-78), which requires the acceptance of credit cards by drivers of vehicles for hire at the airport, is not adopted. Before the city council will consider such a requirement, the airport board is requested to submit to the city council a proposal that would offset the administrative costs of mandatory acceptance of credit cards by drivers.**

C. Section 2-2(I)(A)(1) of Chapter 4 of the Code of Rules and Regulations (as set forth in Resolution No. 2001-01-17), which requires A-VI rated insurance to be carried by companies offering vehicles for hire, is not adopted. Insurance with a B+ VI rating will continue to be required for such companies operating at the airport”

and pass the ordinance.

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 24623.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 23, 2001

01-1704

NOTICE OF DEFERRED OR DELETED ITEMS

In accordance with Paragraph (d) of Section 7.11 of the City Council Rules of Procedure, the attached notices of deferred or deleted items were posted adjacent to each entrance to the city council chamber in Room 6 E North, City Hall.

7.11(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city councilmember or deleted by the city manager. No later than 5:30 p.m. of the day before each city council meeting, the city secretary shall post a list of all items appearing on the addendum to the agenda that were deferred by a city council member or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these lists any item described in Paragraph(a)(1),(2),(3),or(4).

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 23, 2001

EXHIBIT C