

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2001

01-2380

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

PRESENT: [14] Kirk, Poss, Loza, Garcia, Miller, Thornton Reese, Hill, Oakley,
Chaney, Fantroy, Walne, Greyson, Rasansky, Forsythe Lill
ABSENT: [1] Finkelman

The meeting was called to order at 9:10 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 3:45 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.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2001

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2001

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2381

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: Susybelle Gosslee, 9511 Faircrest Dr.
REPRESENTING: Women's Issues Network
SUBJECT: Ratification of 10th Amendment-Women's Equality Day

SPEAKER: Campbell Read, 5839 Monticello Ave.
REPRESENTING: Save The Trinity
SUBJECT: Trinity River

SPEAKER: Jimmie Lee, 2611 Peabody St. **NO SHOW**
REPRESENTING: Relief In Community
SUBJECT: Freedom of Speech Sir

SPEAKER: DeWayne Dallas, 6266 St. Albans Dr.
SUBJECT: Budget

SPEAKER: Isa Bassari, 9443 Culberson St.
SUBJECT: Code Enforcements/Council office

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

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

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Stealing bricks/property from Jewel and Hershel Floyd

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Councilmembers/Corruption

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2382

Item 1: Approval of Minutes of the August 8, 2001 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2383

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-55 was presented for consideration.

The city secretary announced that the city manager had deleted agenda item 26 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Miller requested that consent agenda items 11, 15 and 16 be considered as individual items. Mayor Kirk stated that consent agenda items 11, 15 and 16 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Miller's request.

Councilmember Garcia requested that consent agenda item 35 be considered as an individual item. Mayor Kirk stated that consent agenda item 35 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

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

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda with the exception of consent agenda item 26 which was deleted and consent agenda items 11, 15, 16, 35 and 39 would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

Later in the meeting, Councilmember Chaney moved to suspend the rules to remove consent agenda item 48 to be considered as an individual item.

Motion seconded by Councilmember Thornton Reese.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda with the exception of consent agenda item 48.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2384

Item 2: Authorize a contract for the roof replacement and asbestos abatement at Central Patrol located at 334 South Hall Street - Castro Roofing of Texas, Inc., lowest responsible bidder of two - \$134,455 - Financing Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2385

Item 3: Authorize a contract for the roof replacement and asbestos abatement at the Heavy Equipment and Welding Shop located at 2761 Municipal Street - Castro Roofing of Texas, Inc., lowest responsible bidder of three - \$72,455 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2386

Item 4: Authorize a contract for cooling tower replacement located at the Dallas Museum of Art - JWP Brandt Engineering Company, Inc., lowest responsible bidder of four - \$377,621 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2387

Item 5: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Thurston Drive from Anson Road to Burbank Drive and Street Group 98-427 (list attached) - Texas Sterling Construction, Inc., lowest responsible bidder of six - \$4,929,553 - Financing: 1998 Bond Funds (\$4,041,978), Water Utilities Capital Construction Funds (\$887,575)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2388

Item 6: Authorize a contract for the replacement and rehabilitation of water and wastewater mains in the lower west White Rock Creek area bounded by Northwest Highway, Buckner Boulevard, Ledbetter Drive and Loop 12 - William J. Schultz, Inc. dba Circle "C" Construction Company, lowest responsible bidder of five - \$3,112,220 - Financing: Water Utilities Capital Construction Funds (\$1,956,362) and Water Utilities Capital Improvement Funds (\$1,155,858)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2389

Item 7: Authorize a contract for the rehabilitation of the Southside Wastewater Treatment Plant anaerobic digesters - Archer Western Contractors, Ltd., lowest responsible bidder of two - \$7,148,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2390

Item 8: Authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc. for additional engineering services required for a study to identify alternatives to the collection and treatment of wastewater currently provided by the Trinity River Authority - \$154,884, from \$1,199,998 to \$1,354,882 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2391

Item 9: **Justin Avenue (north) from Hale Street north to dead-end**

- * Authorize street paving, storm drainage, water and wastewater main improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2392

Item 10: **Justin Avenue (north) from Hale Street north to dead-end**

- * Authorize a benefit assessment hearing to be held on September 26, 2001, for street paving, storm drainage, water and wastewater main improvements -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2393

Item 11: Authorize a five-year renewal to the lease with the County of Dallas, for approximately 10,584 square feet of office space in the Dallas County Health and Human Services building located at 2377 Stemmons Freeway, to be used as a Women, Infants, and Children clinic office and training center for the period September 1, 2001 through August 31, 2006 - Not to exceed \$137,592 annually - Financing: Texas Department of Health Grant Funds

Councilmember Miller requested that consent agenda item 11 be considered as an individual item. Mayor Kirk stated that consent agenda item 11 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 11 was brought up for consideration.

Councilmember Miller moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2394

Item 12: Authorize conveyance of two drainage easements containing approximately 32,064 square feet of land, two temporary working space easements containing 12,938 square feet of land and a slope easement containing approximately 24,953 square feet of land to the City of Rockwall, for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Shores Boulevard and Plummer Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2395

Item 13: An ordinance closing and vacating a portion of an alley containing approximately 225 square feet of land located near the intersection of Idaho and Saner Avenues for the purpose of consolidating this area with the adjacent City-owned property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24685.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2396

Item 14: Authorize the quitclaim of 14 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders - Revenue: \$97,723

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2397

Item 15: An ordinance closing and vacating a portion of Alamo Street containing approximately 4,705 square feet of land located near the intersection of Hi Line Drive and Stemmons Freeway, for the purpose of consolidating this area with adjacent City-owned property - Financing: No cost consideration to the City

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

Councilmember Miller moved to pass the ordinance.

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

Assigned ORDINANCE NO. 24686.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2398

Item 16: Declare approximately 7,391 square feet of unimproved City-owned land located adjacent to Alamo Street between Dallas North Tollway and Hi Line Drive, unwanted and unneeded and authorize the advertisement for sale by sealed bid at a minimum bid of \$266,076 - Financing: No cost consideration to the City

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

Councilmember Miller moved to approve the item and not waive the provision of Section 2-24 (c)(1) and (2) of the Dallas City Code.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2399

Item 17: An ordinance granting a revocable license to Daddy Jack's for the use of approximately 68 square feet of land to maintain and utilize an existing awning over a portion of Greenville Avenue right-of-way located near its intersection with Oram Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24687.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2400

Item 18: An ordinance granting renewal of a private license to USA Environmental Group, Inc. for the use of approximately 700 square feet of land to maintain an existing covered loading dock and pedestrian passageway in alley right-of-way located near the intersection of Yorktown and May Streets - Revenue: \$1,000 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24688.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2401

Item 19: An ordinance granting a private license to West End Square, Ltd. for the use of approximately 638 square feet of land to maintain the existing loading dock in a portion of Pacific Avenue right-of-way located at its intersection with Austin Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24689.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2402

Item 20: An ordinance amending Ordinance No. 24114 to extend the time to record the final replat affecting land adjacent to the abandoned Liberty and Allen Streets rights-of-way located near the intersection of Ross Avenue and Liberty Street - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24690.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2403

Item 21: Authorize a thirty-six-month renewal and extension of the lease agreement with Galt II, a Texas Limited Partnership, for the continued use of approximately 1,121 square feet of office space located at 8500 Stemmons Freeway, to be used by the Psychological Services Unit of the Police Department from September 1, 2001 through August 31, 2004 - \$52,127 for thirty-six months - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2404

Item 22: Authorize the purchase of exterior furniture for public seating at Dallas Love Field Airport from the lowest responsible bidders of three - Recreation Consultants of Texas, LLC (\$43,350) and Hunter-Knepshield of Texas, Inc. (\$38,909) - Not to exceed \$82,259 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2405

Item 23: Authorize a twelve-month price agreement for animal feed and supplies with the lowest responsible bidders of four - Feeder Supply Company, Marshall Grain Company, Southwest Feed Mills, Inc. and TNT Distributing - Not to exceed \$209,506
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2406

Item 24: Authorize a thirty-six-month service contract for maintenance of fuel pumps, dispensing equipment, lines and tanks with the lowest responsible bidder of two - MJ Equipment and Service Company dba Huffman Equipment and Service Company - Not to exceed \$269,250 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2407

Item 25: Authorize a thirty-six-month price agreement for propane with the only bidder - Northwest Butane Gas Company - Not to exceed \$533,117 - Financing: Current Funds (\$140,616) and Water Utilities Current Funds (\$392,501)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2408

Item 26: Authorize an increase in the forty-eight-month price agreement with Brock Paving Industries, Inc., for road hump installation - Not to exceed \$223,540, from \$176,460 to \$400,000 - Financing: Current Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2409

Item 27: Authorize a thirty-six-month price agreement for herbicide treatment of drainage channels with the only bidder - SprayMax, Inc. - Not to exceed \$499,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2410

Item 28: Authorize a thirty-six-month price agreement with two twelve-month renewal options for the maintenance of centrifugal compressors at the Central Wastewater Treatment Plant with the lowest responsible bidder of two - Houston Service Industries - Not to exceed \$856,589 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2411

Item 29: **City Center TIF District**

- * Authorize (1) a development agreement with Intradel Corporation, to provide for the funding of asbestos removal and demolition and construction of public infrastructure improvements related to the redevelopment of The Lofts at Commerce (1712 Commerce) located in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas, (City Center TIF District); and (2) the establishment of appropriations in an amount not to exceed \$725,000 in the City Center TIF District Fund - Financing: \$725,000 to be advanced by a private developer and reimbursed from the City Center TIF District Fund; to be paid upon completion of construction and issue of a certificate of occupancy, solely from the City Center TIF Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2412

Item 30: **City Center TIF District**

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse Intradel Corporation, a development firm for funds advanced pursuant to a development agreement between the City and Intradel, in an amount not to exceed \$725,000 plus interest, for certain public infrastructure improvements related to the redevelopment of the Lofts at Commerce, located at 1712 Commerce Street in the City Center TIF District - Financing: \$725,000 to be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; reimbursement to be paid solely from the City Center TIF Fund when the project is completed, with accrued interest

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2413

Item 31: **Cedars TIF District**

- * Authorize a development agreement with DIMAC Family, L.P., to provide for (1) the funding and construction of certain public improvements located at 1919 Harwood in Tax Increment Financing Reinvestment Zone Three, City of Dallas, Texas, (Cedars TIF District) in an amount not to exceed \$45,000, (2) development fee rebate not to exceed \$8,000 and (3) the establishment of appropriations in an amount not to exceed \$45,000 in the Cedars TIF District Fund - Financing: \$45,000 to be advanced by the developer for construction and reimbursed from the Cedars TIF District Fund; to be paid upon completion of construction and issue of a Certificate of Occupancy, solely from the Cedars Tax Increment Financing Fund; accrued interest on private funds advanced to be repaid solely from the Cedar TIF District Fund; development fee rebates in an amount not to exceed \$8,000 to be paid from the Public/Private Partnership Fund upon completion of construction and issue of a Certificate of Occupancy

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2414

Item 32: **Cedars TIF District**

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) to reimburse DIMAC Family, L.P., an investment firm for funds advanced pursuant to a development agreement between the City and DIMAC Family, L.P., in an amount not to exceed \$45,000 plus interest, for the funding and construction of certain public improvements located at 1919 Harwood in the Cedars TIF District - Financing: \$45,000 to be advanced by the developer and reimbursed solely from the Cedars TIF District Fund; accrued interest on private funds to be repaid solely from the Cedars TIF District Fund when the project is completed

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2415

Item 33: Authorize the acceptance of a grant from the Texas Department of Health for the continuation and enhancement of the City of Dallas Immunization Initiative Program for the period September 1, 2001 through August 31, 2002 - Not to exceed \$258,024 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2416

Item 34: Authorize the acceptance of funds from the Texas Natural Resource Conservation Commission to operate two additional continuous ambient air monitoring stations in Dallas County: one at 12532 2 Nuestra Drive and the other at Dallas Water Utilities Department's Eastside Water Purification Plant located at 405 Long Creek Road in Sunnyvale, Texas, for the period September 1, 2001 through August 31, 2002 and execution of the agreement - \$50,000 - Financing: Texas Natural Resource Conservation Commission Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2417

Item 35: Authorize the acceptance of grant funds from the Texas Department of Health for the enhancement of the City of Dallas Childhood Lead Poisoning Prevention Program for the period July 1, 2001 through June 30, 2002 and execution of the grant agreement - Not to exceed \$64,000 - Financing: Texas Department of Health Grant Funds

Councilmember Garcia requested that consent agenda 35 be considered as an individual item. Mayor Kirk stated that consent agenda item 35 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Later in the meeting, agenda item 35 was brought up for consideration.

Councilmember Garcia moved to approve the item and to add the following zip codes **75211 and 75212** to the testing area.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2418

Item 36: Authorize the acceptance of grant funds from the Texas Department of Health to continue the South Dallas/Oak Cliff Diabetes Awareness and Prevention Program for the period July 1, 2001 through June 30, 2002 and execution of the grant agreement - Not to exceed \$44,000 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2419

Item 37: Authorize a contract with the Texas Department of Health to continue the operation of a training center for the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2001 through September 30, 2002 - Not to exceed \$94,547 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2420

Item 38: Authorize a contract with the Texas Department of Health to enforce state and federal asbestos abatement regulations within the city limits for the period September 1, 2001 through August 31, 2002 - Not to exceed \$104,107 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2421

Item 39: Authorize the Environmental and Health Services Department to implement a fee structure for persons choosing to pay electric, gas and telephone utility bills at City-operated Utility Pay Stations; and authorize the Department to deposit proceeds from the fees to pay TXU electric and gas utility service charges and fund emergency assistance programs at the pay station locations - Estimated Revenue: \$132,000

Councilmember Greyson requested that consent agenda item 39 be considered as an individual item. Mayor Kirk stated that consent agenda item 39 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 39 was brought up for consideration.

The following individual addressed the city council regarding Utility Pay Stations:

Susan Anderson, representing TXU

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2422

Item 40: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement between the City of Dallas and Dallas County Health and Human Services Department to provide additional funding for one epidemiologist as part of the AIDS Investigation Program for the period May 1, 2001 through April 30, 2002 - Not to exceed \$6,984, from \$37,500 to \$44,484 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2423

Item 41: Authorize a contract with the Texas Department of Health for the continuation of local health services including core services for maternal and child health, community and rural health services, and services to non-Medicaid eligible clients through Title V for the period September 1, 2001 through August 31, 2002 - Not to exceed \$425,095 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2424

Item 42: Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2001 through August 31, 2002 - Not to exceed \$344,500 - Financing: Current Funds (\$26,625), (\$317,875 subject to future appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2425

Item 43: Authorize a public hearing to be held on September 12, 2001 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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2426

Item 44: Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2001 through August 31, 2002 and execution of the grant agreement - \$407,913 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2427

Item 45: Authorize an agreement with the AMIGOS Bibliographic Council, Inc. for continued participation by the Dallas Public Library in the computerized data access program for bibliographic and consulting services for a twelve-month period from October 1, 2001 through September 30, 2002 - Not to exceed \$153,082 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2428

Item 46: Authorize the acceptance of grant funds from the Texas Commission on the Arts for general operation and project support to arts and cultural organizations in the City of Dallas for the period September 1, 2001 through August 31, 2002 and execution of the grant agreement - \$145,325 - Financing: Texas Commission on the Arts Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2429

Item 47: Authorize a Multiple Use Agreement with TXU Electric Company for the use of TXU right-of-way for the development of the Preston Ridge Trail - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2430

Item 48: Authorize adoption of the South Dallas/Fair Park Economic Development Corridor Plan to serve as a guide for future land use, economic development and neighborhood revitalization in the area - Financing: No cost consideration to the City

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

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

Councilmember Chaney moved to defer the item until the September 26, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2431

Item 49: Authorize an agreement with The Urban Land Institute for the City of Dallas to serve as the primary sponsor of an Advisory Service Panel which will conduct a study to determine market potential and recommend planning and design guidelines, development strategies, and plan implementation methods for an area within the Oak Cliff Gateway Special Purpose District on property generally bounded by Interstate 30 on the north, Beckley Avenue on the west, Greenbriar Lane on the south, and the Trinity River on the east - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2432

Item 50: An ordinance granting a Planned Development District for MU-3 Mixed Use District uses on property on the southwest corner of Lovers Lane and Matilda Street, and a resolution authorizing the termination of existing deed restrictions Z001-207/3163-NE(WE) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24691.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2433

Item 51: **2001 Omnibus Appropriations Local Law Enforcement Block Grant**

- * Authorize the City of Dallas to submit a consolidated application between the City of Dallas and Dallas County for the 2001 Omnibus Appropriations Local Law Enforcement Block Grant from the U. S. Department of Justice, Bureau of Justice Assistance, for crime prevention and improved public safety activities - City of Dallas' share: \$2,917,101, Dallas County's share: \$1,024,927 plus cash match of \$438,003 for a total of \$4,380,031 - Financing: U. S. Department of Justice, Bureau of Justice Assistance Grant Funds (\$3,942,028), Current Funds (\$324,122 - City's cash match) (subject to future appropriations) and Dallas County Funds (\$113,881 - Dallas County's cash match)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2434

Item 52: **2001 Omnibus Appropriations Local Law Enforcement Block Grant**

- * Authorize a public hearing to be held on September 26, 2001 to receive citizens' comments on the 2001 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2435

Item 53: Authorize re-application for third-year continuation of the Public School Child Abuse Response Team grant to provide a liaison with public school officials to respond to child abuse referrals, from the Office of the Governor, Criminal Justice Division, in the amount of \$72,649, for the period October 1, 2001 through September 30, 2002 (local match in the amount of \$87,307, or 55% of all expenses, will be required if awarded) (subject to future appropriations) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2436

Item 54: Authorize (1) the acceptance of funds from Dallas Area Rapid Transit for reimbursement of material and labor provided by the City related to the installation and upgrade of traffic signals in the vicinity of Dallas Area Rapid Transit facilities (list attached); and, (2) an increase in appropriations in the amount of \$130,000 in the Capital Projects Reimbursement Fund - \$130,000 - Financing: Dallas Area Rapid Transit Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2437

Item 55: Authorize a professional services contract with Black & Veatch Corporation to provide engineering services for renewal of treated wastewater discharge permits - \$295,424 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2479

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 56-61, was presented.

Agenda item 57 was removed from the consent zoning docket to be considered as an individual hearing.

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

Agenda item 56: Zoning Case Z001-142(PC)	[Deleted]
Agenda item 57: Zoning Case Z001-169(RB)	[Considered individually]
Agenda item 58: Zoning Case Z001-182(WE)	[Deleted]
Agenda item 59: Zoning Case Z001-206(WE)	
Agenda item 60: Zoning Case Z001-211(RB)	
Agenda item 61: Zoning Case Z001-218(LS)	[Deleted]

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.

Deputy Mayor Pro Tem 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. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2438

Item 56: Zoning Case Z001-142(PC)

Zoning Case Z001-142(PC), a City Plan Commission authorized hearing to consider a Planned Development District for the South Dallas/Fair Park area on property bounded by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad and R.L. Thornton Freeway that will retain existing residential zoning districts, historic districts, and Planned Development Districts within its boundaries, and create five new non-residential sub-districts to replace the existing non-residential zoning that will define new standards for permitted land uses, densities, landscaping, building height, and setbacks, in order to establish appropriate locations for non-residential uses and to minimize their impact on surrounding residential areas and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2439

Item 57: Zoning Case Z001-169(RB)

The consent zoning docket, consisting of agenda items 56-61, was presented.

Mayor Pro Tem Poss requested that consent zoning docket item 57 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 57 would be removed from the consent zoning docket item 57 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Mayor Pro Tem Poss' request.

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

A public hearing was called on zoning case Z001-169(RB), an application for and an ordinance granting a Planned Development District for a Public school, a Utility or government installation other than listed, and R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District on property bounded by Fuller Drive, Hermosa Drive, Stevens Street and Losa Drive.

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

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

Mayor Pro Tem Poss moved to close the public hearing, accept the recommendation of the city plan commission with the following change:

“Provided that a modified driveway opening on Hermosa Drive that requires vehicles leaving the school property to turn right in order to direct traffic away from the neighborhood”

and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24692.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2440

Item 58: Zoning Case Z001-182(WE)

Zoning Case Z001-182(WE), an application for and an ordinance granting an amendment to Tract C within Planned Development District No. 135 to create a new Subdistrict C-1 to allow a restaurant with a drive-in or drive-through service by right on property presently zoned as Planned Development District No. 135 on the south corner of Phillip Avenue and Fairview Avenue.

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

Deleted on the addendum to the agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2441

Item 59: Zoning Case Z001-206(WE)

Zoning Case Z001-106(WE), an application for a GR General Retail Subdistrict and an ordinance granting a Specific Use Permit for a Child-care Facility on property presently zoned an O-2-D Office Subdistrict with a Dry Overlay, within Planned Development District No. 193, the Oak Lawn Special Purpose District, located northeast of Denton Drive on the south side of Inwood Road.

(The city plan commission recommended denial of a GR General Retail Subdistrict, but approval of a Specific Use Permit for a Child-care Facility for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24693.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2442

Item 60: Zoning Case Z001-211(RB)

Zoning Case Z001-211(RB), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to revising the lot coverage provisions for property presently zoned as Planned Development District No. 563 for a Private school, Child-care facility, and R-7.5(A) Single Family District Uses on the northeast corner of Audelia Road and McCree Road and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24694.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2443

Item 61: Zoning Case Z001-218(LS)

Zoning Case Z001-218(LS), a City Plan Commission authorized hearing to consider amendments to Planned Development District No. 193, the Oak Lawn Special Purpose District, with consideration being given to revising standards relating to setbacks, landscaping and parking for residential uses and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2444

Item 62: Public Hearing – Zoning Case Z990-226/11182-C(BP)

A public hearing was called on zoning case Z990-226/11182-C(BP), an application for and an ordinance granting a Planned Development Subdistrict for MF-3-D Multiple Family Subdistrict Uses on property presently zoned an MF-3-D Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the southeast corner of Oak Lawn Avenue and Holland Avenue.

(The city plan commission recommended approval.)

No one appeared in opposition to or in favor of the city plan commission recommendation. This item was considered by the City Council at a public hearing on April 11, 2001, and was taken under advisement until August 22, 2001, with the public hearing open.

Deputy Mayor Pro Tem Loza moved to postpone the application until the December 12, 2001 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2445

Item 63: Public Hearing - Zoning Case Z001-164(WE)

A public hearing was called on zoning case Z001-164(WE), an application for and an ordinance granting an RR Regional Retail District with retention of the D-1 Dry-1 Overlay District on property presently zoned a CR-D-1 Community Retail-Dry-1 District located at the southwest corner of Jim Miller Road and Lake June Road.

(The city plan commission recommended denial. This item was considered by the City Council at a public hearing on August 8, 2001, and was taken under advisement until August 22, 2001, with the public hearing closed.)

Appearing in opposition to the city plan commission recommendation:

Eugene Thomas, 8430 Waterwood Ln.

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

Councilmember Hill moved to overrule the city plan commission recommendation and grant the RR Regional Retail District with retention of the D-1 Dry-1 Overlay District located at the southwest corner of Jim Miller Road and Lake June Road.

Motion seconded by Councilmember Fantroy.

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

Voting Yes:	[12]	Poss, Loza, Garcia, Miller, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Greyson, Rasansky
Voting No:	[0]	
Absent:	[1]	Finkelman
Absent when vote taken:	[2]	Kirk, Lill

Mayor Pro Tem Poss declared the motion adopted.

Assigned ORDINANCE NO. 24695.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2446

Item 64: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on consideration of amendments to the Development Code to allow Ashared access single family developments, enabling the creation of residential lots without frontage on the public right-of-way and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

Deleted on the addendum to the agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2447

Item 65: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on consideration of amendments to Chapter 41A, Chapter 51 and Chapter 51A of the City Code as they relate to sexually oriented businesses and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

Appearing in opposition to the city plan commission recommendation:

Michael Jung, 7143 Fisher Rd., representing American Bank, N.A.
Linda Neel, 2927 Kendale Dr.

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

During discussion, 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.

Councilmember Walne 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. (Finkelman absent)

Assigned ORDINANCE NO. 24696.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2448

Item 66: Public Hearing - Development Code Amendments – Under Advisement - Individual

A public hearing was called on consideration of amendments to the Development Code to revise the regulations for off-street parking spaces that relate to the provisions for "small car" parking spaces and an ordinance implementing the proposal.

(The city plan commission recommended approval of amendments that include a reduction in the number of allowed "small car" parking spaces from 35% to 15% with exceptions for certain Planned Development Districts and the Central Area District and provide for a special exception by the Board of Adjustment to allow up to 35% "small car" spaces. This item was considered by the City Council at a public hearing on June 13, 2001, and was taken under advisement until August 22, 2001, with the public hearing open.

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

Councilmember Walne moved to postpone the ordinance until the September 26, 2001 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2449

Public Hearing - BENEFIT ASSESSMENT HEARING

Sidewalk Group 98-111

Timberline Drive: Webb Chapel Extension to Community Drive

Brockbank Drive: Story Lane to Lombardy Lane

Denton Drive: Hudnall Street to Hedgerow Drive

- Item 67: * Benefit assessment hearing for sidewalk paving
- Item 68: * Ordinance levying benefit assessments for sidewalk paving
- Item 69: * Authorize a contract for the construction for sidewalk paving - P & E Engineering, lowest responsible bidder of three - \$57,181 - Financing: 1998 Bond Funds

A public hearing was called to receive comments on a proposal to levy benefit assessments for sidewalk improvements for Sidewalk Group 98-111 for Timberline Drive: Webb Chapel Extension to Community Drive; Brockbank Drive: Story Lane to Lombardy Drive; Denton Drive: Hudnall Street to Hedgerow Drive.

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

Deputy Mayor Pro Tem Loza moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24697.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2450

Public Hearing - BENEFIT ASSESSMENT HEARING

Street Group 98-429

Bond Avenue: Davis Street to dead-end north of Hale Street

Tatum Avenue: Goodman Street north to dead-end

Alley between Haines Avenue and Woodlawn Avenue: Neches Street to Wickford Street

- Item 70: * Benefit assessment hearing for street and alley paving, water and wastewater main improvements
- Item 71: * Ordinance levying benefit assessments for street and alley paving, water and wastewater main improvements - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for Street Group 98-429 for Bond Avenue: Davis Street to dead-end north of Hale Street; Tatum Avenue: Goodman Street north do dead-end; Alley between Haines Avenue and Woodlawn Avenue: Neches Street to Wickford Street.

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

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

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24698.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2451

Item 72: Public Hearing - FLOODPLAIN APPLICATIONS

A public hearing was called on an application for a fill permit and removal of the flood plain (FP) prefix from 0.89 acres of land, zoned Residential 10(A), currently in the 100-year flood plain of Bachman Branch located at the intersection of Shorecrest Drive and Lakemont Drive at 3930 Shorecrest Drive - Fill Permit 01-01 - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the floodplain application:

Virgil Gavrilla, 3856 Shorecrest Dr. **OPPOSE**
Mike Boyd, 8080 Park Lane **FAVOR**

Councilmember Lill moved to close the public hearing and approve the application.

Motion seconded by Councilmember Walne and unanimously adopted. (Finkelman absent; Miller abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2452

Item 73: Miscellaneous Hearing

A public hearing to receive citizens' comments in preparation of the FY 2001-02 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the FY 2001-02 Operating, Capital, Grant and Trust budgets:

Dan Ellinor, 10707 Preston Rd., representing North Dallas Chamber of Commerce
Kathleen LaFleur, 2225 marilla St.
Curtis King, 7510 E. Grand Ave., representing The Black Academy of Art and Letters
Ella Johnson, 2531 Club Terrace Dr., representing The Black Academy of Art and Letters
Giselle Antoni, 1711 MacManus Dr.
Marisela Barrera, 1032 Kings Hwy., representing Cara Mira Theater
Edward Gutierrez, 13625 Purple Sage Rd., representing Ollimpaxqui Ballet Company
Bryant Hanley, Jr., 5455 Northbrook Dr., representing Dallas Museum of Art
Vicki Cheatwood, 4214 Rawlins St.
Linda James, 2923 Dorrington Dr., representing Dance Council
Clayton P. Henry, 1255 N. Selva Dr.
Catherine Owens, 7311 Coronado Ave., representing Undermain Theatre
Bruce DuBose, 215 N. Walton St., representing Undermain Theatre
Suzanne Thomas, 7418 Overdale Dr., representing Undermain Theatre
John Briscoe, 11327 Langwood Cir., representing Texas Public Workers Association
Ann Williams, 2040 Argyle Ave.
Lico Reyes, 209 E. Main, Grand Prairie, TX, representing Texas Public Workers Association
M.W. (Woody) Petty, P.O. Box 822, Mabank, TX
Thea Temple, 3109 Caribou Ct., Mesquite, TX
Reginald Platt, 10341 Estacado Dr.
Jeannette Brantley Wango, 2700 South Blvd.
Myrtle Sloan, 2719 Caillet St.
Charlie Mae Smith, (no address given)
Luis Gonzalez, 9708 Pinehurst Ln.
Ruth Asuna (no address given)
Valerie Brogan, 2707 Bliss St.
Jo Tresillo, 3014 Forest Ln.
Sandra Greenway, 14100 Montfort Dr., representing Shakespeare Festival of Dallas

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CITY OF DALLAS, TEXAS

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01-2452

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Herschel Weiss, 102 Circle Dr.
Lisa Baker, 5216 Lake Placid Dr.
Lela Bell, 10588 Stone Canyon Rd.
Julie Manuel, 1038 Cedar Hill Ave.

Deputy Mayor Pro Tem Loza moved to close the public hearing.

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

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CITY OF DALLAS, TEXAS

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August 22, 2001

01-2453

Miscellaneous Hearing - **Proposed Amendments to Chapter 41A of the Dallas City Code**

- Item 74: * A public hearing to receive citizens' comments on proposed amendments to Chapter 41A of the Dallas City Code relating to sexually oriented businesses - Financing: No cost consideration to the City
- Item 75: * An ordinance amending Chapter 41A of the Dallas City Code relating to the licensing and operation of sexually oriented businesses - Financing: No cost consideration to the City. This item was considered by the City Council at a public hearing on June 27, 2001, and was taken under advisement until August 22, 2001, with the public hearing open.

No one addressed the city council regarding the proposed amendments to Chapter 41A.

During discussion, 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.

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

Motion seconded by Councilmember Greyson and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24699.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2454

Item 76: 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.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2455

Item 77: An ordinance abandoning a water easement and sanitary sewer easements to LL Property Partners, L.P., the abutting owner, containing a total of approximately 2,460 square feet of land located near the intersection of Lovers Lane and Bluffview Boulevard, providing for the dedication of new water and wastewater easements, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Lill moved to defer the ordinance until the September 26, 2001 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2456

Item 78: Authorize an amendment to the 1976 Five Mile Creek Flood Plain Management Report to eliminate the extension of Calyx Circle along Five Mile Creek to Ledbetter Drive – Financing: No cost consideration to the City of Dallas

The following individual addressed the city council regarding the amendment:

James Dawn, 610 Calyx Cir.

Councilmember Thornton Reese moved to deny the amendment to the 1976 Five Mile Creek Flood Plain Management Report to eliminate the extension of Calyx Circle along Five Mile Creek to Ledbetter Drive.

Motion seconded by Councilmember Greyson and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2457

Addendum addition 1: Authorize settlement of a claim filed by Wayne Love, Claim No. 95007750 - Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2458

Addendum addition 2: Authorize a professional services contract with AAE Architects, Inc. to provide architectural services for the design of roof and heating, ventilation and air conditioning replacement at the Dallas Theater Center (also known as the Kalita Humphreys Theater) located at 3636 Turtle Creek Boulevard - \$51,000 - Financing: Capital Construction Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2459

01-2460

01-2461

Addendum addition 3: **Electric Deregulation**

- * Authorize a twelve-month electric services contract with a Public Utilities Commission approved Retail Electric Provider - \$60,000,000 - Financing: Current Funds (\$18,000,000), Water Utilities Current Funds (\$30,000,000), Aviation Current Funds (\$6,000,000) and Convention and Event Services Current Funds (\$6,000,000) (subject to annual appropriations)

If Addendum Item No. 3 is approved, Addendum Item No. 4 should also be approved and Addendum Item No. 5 should not be approved.

If Addendum Item No. 3 is not approved, either Addendum Item No. 4 or Addendum Item No. 5 should be approved.

Addendum addition 4: * Authorize cancellation of the membership agreement with Texas Conference of Urban Counties Aggregation Project, Inc. - Financing: No cost consideration to the City

Addendum addition 5: * Ratify the membership agreement with Texas Conference of Urban Counties Aggregation Project, Inc., which provided for participation in a consortium to purchase electricity - Financing: No cost consideration to the City

The following individuals addressed the city council regarding Public Utilities Commission:

Lee Jackson, 411 Elm St.
Donald Lee, 206 West 13th St., Austin, TX

Councilmember Rasansky moved to suspend the rules for a full briefing on the information distributed to council at this meeting.

Motion seconded by Councilmember Miller.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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01-2459

01-2460

01-2461

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

Voting Yes: [2] Miller, Rasansky
Voting No: [12] Kirk, Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney,
Fantroy, Walne, Greyson, Lill
Absent: [1] Finkelman

Mayor Kirk declared the motion failed.

Mayor Pro Tem Poss moved to reject addendum items 3 and 4 and approve addendum item 5.

Motion seconded by Councilmember Walne.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2462

Addendum addition 6: Authorize the acceptance of a grant from Guinness UDV North America, Inc., in the amount of \$1,000,000 over five years to be deposited with the Communities Foundation of Texas, which is currently holding all private contributions for the construction of the Latino Cultural Center - Financing: No cost consideration to the City

The following individual addressed the city council regarding the grant:

Adelita Avila, 1341 W. Mockingbird Ln., representing Mothers' Against Drunk Drivers

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia.

Later in the meeting Deputy Mayor Pro Tem Loza moved to defer the item until the September 12, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2463

Addendum addition 7: Approval of the 2001-02 Dallas-Fort Worth International Airport Board annual budget - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the item.

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

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2464

Addendum addition 8: Authorize a twenty-four-month price agreement for the printing of citation booklets with the lowest responsible bidder of three - Moore North America - Not to exceed \$55,840 - Financing: Current Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2465

Addendum addition 9: Authorize the purchase and installation of a fuel leak detection and automatic tank gauging system from the lowest responsible bidder of four - Gene Hill Equipment Company, Inc. dba The Hill Company - Not to exceed \$66,395 - Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2466

Addendum addition 10: Authorize a thirty-six-month price agreement for breathing apparatus testing and parts with the lowest responsible bidders of four - Fisher Scientific Company, L.L.C. (\$46,804) and Four Alarm Fire Equipment (\$8,587) - Not to exceed \$55,391 - Financing: Current Funds (\$8,587) and Water Utilities Current Funds (\$46,804)

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2467

Addendum addition 11: Authorize (1) the purchase of poly vinyl composite and steel pipe from the lowest responsible bidder of three - Hughes Supply, Inc. (\$55,986) and (2) the purchase of standard, bar wrapped concrete pipe for the Naval Air Station Dallas with Hanson Pipe & Products, Inc. - Sole Source - (\$181,043) - Total not to exceed \$237,029 - Financing: Texas Defense Economic Adjustment Assistance Grant Funds

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2468

Addendum addition 12: Authorize the purchase of a local network/workgroup integrated management, storage and imaging system from the lowest responsible bidder of three - IKON Office Solutions - Not to exceed \$156,319 - Financing: 1999-00 Local Law Enforcement Block Grant Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Finkelman absent)

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2469

Addendum addition 13: Authorize a thirty-six-month service contract for laboratory services for wastewater treatment plants with the lowest responsible bidder of two - Certes Environmental Laboratories, L.L.C. - Not to exceed \$136,336 - Financing: Water Utilities Current Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2470

Addendum addition 14: Authorize the purchase of an automated flow injection analyzer from the lowest responsible bidder of three - Lachat Instruments - Not to exceed \$68,933 - Financing: Water Utilities Current Funds

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2471

Addendum addition 15: An ordinance amending Ordinance No. 24658 which authorized a change of zoning from an NO(A) Neighborhood Office District to an NS(A) Neighborhood Service District on property on the south side of Interstate-635, L.B.J. Freeway east of Crim Drive (Z001-186/11412-NC(SM)) - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Chaney and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24700.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2472

Addendum addition 16: Authorize the rejection of bids received for Street Group 98-429 and authorize readvertisement for new bids - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2473

Addendum addition 17: Authorize an amendment to Resolution Nos. 00-1181, 00-1182 and 00-1183 authorizing real property tax abatement, fee rebate and infrastructure cost participation agreements with the Black State Employees Association of Texas Community Development Corporation, Inc. and Albertson's, Inc. for the redevelopment of the West Cliff Plaza Shopping Center located within City of Dallas Enterprise Zone Two at the northeast corner of W. Ledbetter Drive and Hampton Road in Dallas, Texas to substitute in each resolution A West Cliff Shopping Plaza I Limited Partnership” for A Black State Employees Association of Texas Community Development Corporation, Inc.” as an owner (and lessor) - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2474

Addendum addition 18: An ordinance abandoning a portion of a wastewater easement to Alan J. Perkins and Sondra Perkins, the abutting owners, containing approximately 1,283 square feet of land located near the intersection of Collinway Place and Downslake Circle, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Walne moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24701.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2475

Addendum addition 19: Authorize deposit of a Special Commissioners' Award for the acquisition of land from the Estate of John Fred Bass, containing approximately 8,110 square feet of land improved with a two story office building located at the intersection of Ross and Routh Streets needed for the Performing Arts Center Project - \$710,000 - Financing: 1998 Bond Funds (\$532,500) and Performing Arts Complex Funds (\$177,500)

The following individual addressed the city council regarding the Special Commissioners' Award:

Lee Bass, 2525 Ross Ave.

Councilmember Lill moved to approve the item.

Motion seconded by Mayor Pro Tem Poss.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Deputy Mayor Pro Tem Loza voting "No". (Finkelman absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2476

Addendum addition 20: Authorize amendments to the City Council Rules of Procedure relating to the City Council hearing proclamations and recognitions without a quorum; the cancellation of Council committee meetings if a quorum does not arrive within a designated time; when a Council Member's absence is considered to be on official city business; the conduct of briefing and voting agenda meetings; speaking rules governing Council Members and citizens at Council meetings; the placement and deferral of items on a Council Agenda; motion and voting requirements of the City Council; and City Council committee names and meeting schedules - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

Councilmember Miller moved to substitute for Mayor Pro Tem Poss motion to amend Section 4.11(b)(1): "Attending a meeting or conference of an association of municipalities or municipal officers."

Motion died due to lack of a second.

Mayor Kirk stated for the record that it is the council's intent that the professional associations or organizations must be of municipalities.

Councilmember Greyson asked Mayor Pro Tem Poss if she would accept a friendly amendment to her motion to amend Section 4.11(b)(1) to read: "Attending a meeting or conference of a professional organization of or association of municipalities or municipal officers.

Mayor Pro Tem Poss accepted the amendment as part of her motion.

Deputy Mayor Pro Tem Loza who, seconded the original motion, also accepted the amendment and unanimously adopted. (Finkelman absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2477

Addendum addition 21: An ordinance abandoning portions of Northway Drive and Matilda Street, three utility easements, an alley and a fire lane easement containing a total of approximately 45,168 square feet of land to The Lincoln Company Three Limited Partnership and Rudman Partnership, the abutting owners, located near the intersection of Milton and Matilda Streets, providing for the dedication of a total of approximately 6,330 square feet of land needed for street and alley improvements and authorizing the quitclaim - Revenue: \$121,335 plus the \$20 ordinance publication fee

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Greyson and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24702.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 22, 2001

01-2478

Addendum addition 22: An ordinance abandoning a portion of Mountain Creek Parkway to Courtland Mountain Creek Development, L.P., the abutting owner, containing approximately 542,164 square feet of land located near its intersection with Interstate Highway 20, providing for the dedication of approximately 716,541 square feet of needed street right-of-way, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Miller moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Finkelman absent)

Assigned ORDINANCE NO. 24703.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2001

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS