

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 12, 2001

01-2560

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

PRESENT: [15] Kirk, Poss, Loza, Garcia, Miller, Thornton Reese, Hill, Oakley,  
Chaney, Fantroy, Walne, Finkelman, Greyson, Rasansky, Forsythe  
Lill

ABSENT: [0]

The meeting was called to order at 9:13 a.m.

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

The invocation was led by Mike Simmons, pastor of Highland Park Baptist Church and  
Frederic Haynes, pastor of Friendship West Baptist Church.

The pledge of allegiance was led by Christopher Canfield.

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 3:30 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, SEPTEMBER 12, 2001

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 12, 2001

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2561

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: Mary Warner, 504 Town Creek Dr.  
SUBJECT: Dallas Community Television

SPEAKER: Roy Williams, 1943 Chattanooga Pl.  
REPRESENTING: Forty Acres and a Mule  
SUBJECT: Cadillac Heights vs Trinity River Project

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

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**  
SUBJECT: Corruption/Mayor/Sexual assault in Bachman area

SPEAKER: Mike Simmons, 2515 Lawrence St.  
REPRESENTING: Simmons Custom Painting  
SUBJECT: I want justice or no peace/City of Dallas Housing Department

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Juan Guerrero, 10554 Ferguson Rd.  
SUBJECT: Panhandlers/Beggars on the street corners

SPEAKER: Shayne McVoy, 705 Via Miramonte St., Mesquite, TX  
SUBJECT: Fire safety/Non-toxic fire retardants **NO SHOW**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-2561

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

SPEAKER: Jewel Floyd, 3815 Myrtle St. **NO SHOW**  
SUBJECT: Stealing of bricks/Stealing Pearl C. Anderson' Mercantile Bank

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2562

Item 1: Approval of Minutes of the August 22, 2001 City Council Meeting

Councilmember Thornton Reese moved to approve the minutes.

Motion seconded by Councilmember Finkelman and unanimously adopted.

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2563

### CONSENT AGENDA

The consent agenda, consisting of agenda items 2-61 was presented for consideration.

Councilmember Miller requested that consent agenda items 3, 9, 47, 48 and 61 be considered as individual items. Mayor Kirk stated that consent agenda items 3, 9, 47, 48 and 61 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Miller's request.

Councilmember Rasansky requested that consent agenda items 3, 18, 27, 39, 42 and 61 be considered as individual items. Mayor Kirk stated that consent agenda items 3, 18, 27, 39, 42 and 61 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Lill requested that consent agenda items 3, 50, and 52 be considered as individual items. Mayor Kirk stated that consent agenda items 3, 50 and 52 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Lill's request.

Councilmember Garcia 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 Garcia's request.

Mayor Pro Tem Poss moved to approve all items on the consent agenda with the exception of consent agenda items 3, 9, 16, 18, 27, 39, 42, 47, 48, 50, 52 and 61 would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2564

Item 2: Authorize a professional services contract with Johnson/McKibben Architects, Inc., to provide design services for renovation improvements at Thurgood Marshall Recreation Center - \$25,994 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2565

Item 3: Authorize a professional services contract with HLM Design for a feasibility study of the Police & Courts building and planning for an integrated justice system - \$646,362 - Financing: 1998 Bond Funds (\$213,942), Current Funds (\$432,420)

Councilmembers Miller, Rasansky and Lill requested that consent agenda item 3 be considered as an individual item. Mayor Kirk stated that consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Miller, Rasansky and Lill's request.

Later in the meeting, agenda item 3 was brought up for consideration.

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 Councilmembers Miller and Rasansky voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2566

- Item 4: Authorize a professional services contract with APM & Associates, Inc. to provide engineering services for the relocation of water and wastewater mains in Singleton Boulevard from Hampton Road to Canada Drive - \$82,500 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2567

Item 5: Authorize a professional services contract with Malcolm Pirnie, Inc. for an overflow structure and renovations of equipment at the Sunset Pump Station - \$1,016,427 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2568

Item 6: Authorize a professional services contract with Chiang, Patel & Yerby, Inc. to provide engineering services for hydraulic improvements at the Bachman, Elm Fork and East Side Water Treatment Plant - \$2,850,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2569

Item 7: Authorize a contract for the roof replacement and asbestos abatement at the Pleasant Oaks Recreation Center located at 8701 Greenmound - Castro Roofing of Texas, Inc., lowest responsible bidder of two - \$60,455 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2570

Item 8: Authorize (1) a contract for the construction of water and wastewater mains for Farmers Market Townhomes Phase IIA located in the Tax Increment Reinvestment Zone Number Six, City of Dallas, Texas (Farmers Market TIF district) with Saber Development Corporation, lowest responsible bidder of five in the amount of \$127,295; (2) assignment of the construction contract to Camden Realty, Inc. for construction management and administration; and (3) payment to Camden Realty, Inc. in an amount not to exceed \$9,500 for design and construction management and an amount not to exceed \$2,000 for testing - Total not to exceed \$138,795 - Financing: Private Funds (advanced from Camden Realty, Inc. to the Farmers Market TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2571

Item 9: Authorize a contract for the construction of a carousel and shelter structure including site improvements at the Dallas Zoo - Fargo Building Corporation, lowest responsible bidder of two - \$850,395 - Financing: 1998 Bond Funds

Councilmember Miller 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 Miller's request.

Later in the meeting, agenda item 9 was brought up for consideration.

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2572

Item 10: Authorize (1) a contract for site improvements including removal of existing sidewalks and replacement with new six-foot wide concrete walking paths; removal of an asphalt parking area and replacement with grass sod; and new security lighting at Exall Park, (2) an increase in appropriations in the amount of \$54,000 in Capital Gifts and Donation Funds and (3) acceptance of a donation in the amount of \$54,000 from Bryan Place Homeowners Association - Riverway Contractors and Management, Inc., lowest responsible bidder of six - \$198,986 - Financing: 1998-99 Community Development Grant Funds (\$144,986) and Capital Gifts and Donation Funds (\$54,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2573

Item 11: Authorize a contract for a picnic shelter at Tipton Park - Texas Commercial Builders, Inc., lowest responsible bidder of three - \$85,500 - Financing: 1998-99 Community Development Grant Funds (\$65,500) and 1999-00 Urban Development Action Grant Funds (\$20,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2574

Item 12: Authorize a contract for citywide park identification signage at 43 park sites - Artografx, Inc., lowest responsible bidder of three - \$203,972 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2575

Item 13: Authorize a contract for playground replacement at Beverly Hills Park - Parks for Play, Inc., lowest responsible bidder of five - \$61,426 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2576

Item 14: Authorize a contract for the construction of water and wastewater main replacements in an area bounded by Spur 408, Loop 12, I.H. 35, I.H. 30, I.H. 45, and I.H. 20 - Barson Utilities, Inc., lowest responsible bidder of three - \$2,841,963 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2577

Item 15: Authorize a contract for construction of the Central Wastewater Treatment Plant chlorine contact basin improvements - Eagle Contracting, L.P., lowest responsible bidder of four - \$6,316,700 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2578

Item 16: Authorize an increase in the contract with Southcrest Corporation to provide miscellaneous modifications for the construction of the restaurant and main entry bridge at the Dallas Zoo - \$220,466, from \$3,659,523 to \$3,879,989 - Financing: 1998 Bond Funds

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2579

Item 17: Authorize (1) Supplemental Agreement No. 2 to the contract with Conley Design Group, Inc., to provide additional design services for smoke exhaust system, sprinkler and fire alarm systems of the Arena Building and Sheep and Goat Building, within the Pan American Building Complex at Fair Park and (2) an increase in appropriations in the amount of \$22,700 from State Fair of Texas Capital Construction Funds - \$22,700, from \$346,075 to \$368,775 - Financing: State Fair of Texas Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2580

Item 18: Authorize Supplemental Agreement No. 1 to the contract with Charles Gojer and Associates, Inc. for the design and preparation of construction documents for the removal and replacement of existing blast fences at Dallas Love Field Airport - \$130,350, from \$157,030 to \$287,380 - Financing: Aviation Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Kirk stated that consent agenda item would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 18 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2581

Item 19: Authorize an increase in the contract with Cajun Constructors, Inc. for additional improvements at the East Side Water Treatment Plant and system renovations at the South Cliff Pump Station reservoir - \$169,120, from \$9,621,000 to \$9,790,120 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2582

Item 20: Authorize Supplemental Agreement No. 1 to the contract with Brockette, Davis, Drake, Inc. to provide additional engineering services for the replacement or rehabilitation of wastewater mains located in an area bounded by I.H. 30, Loop 12, Northwest Highway and Buckner Boulevard - \$584,000, from \$1,150,705 to \$1,734,705 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2583

Item 21: Authorize a public hearing to be held on October 10, 2001, to receive citizens' comments, and authorize Council action on October 10, 2001, on the proposed use of a portion of Reverchon Park for the relocation of a Texas Utilities gas line - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2584

Item 22: **Riverside Road from Bonnie View Road east 1,100 feet to the alley**

- \* 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

September 12, 2001

01-2585

Item 23: **Riverside Road from Bonnie View Road east 1,100 feet to the alley**

- \* Authorize a benefit assessment hearing to be held on October 24, 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

September 12, 2001

01-2586

Item 24: Authorize an increase in the agreement with Texas Department of Transportation for water and wastewater main improvements and appurtenance adjustments in Spring Valley Road - \$63,619, from \$212,695 to \$276,314 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2587

Item 25: An ordinance abandoning a portion of Ledbetter Drive to Way of the Cross Missionary Baptist Church, the abutting owner, containing approximately 27,062 square feet of land located near its intersection with Bonnie View Road, and authorizing the quitclaim - Revenue: \$9,201 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24705.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2588

Item 26: Authorize conveyance of a water main easement to the City of Irving, containing approximately 4.2 acres of land and a temporary construction easement containing approximately 8.2 acres of land for the construction of a water supply line by the City of Irving located near the intersection of Sandy Lake Road and Interstate Highway 35E in the City of Carrollton - Revenue: \$59,827

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2589

Item 27: Authorize an eighty-four-month concession contract with three twelve-month renewal options with Smart City Networks Limited Partnership for telecommunications services at the Dallas Convention Center - Estimated Revenue: \$2,800,000 (30% of gross revenues guaranteed: \$400,000 estimated annual revenue)

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

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

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2590

Item 28: Authorize the purchase of a three-year insurance policy for Excess Workers' Compensation insurance from North River Insurance Company through McGriff, Seibels & Williams of Texas, Inc. - Not to exceed \$1,215,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2591

Item 29: Authorize an increase in the twenty-four-month multiple vendor price agreement with Safeco Land Title, All American Title Services, and Fidelity National Title for title and loan closing services for the City's Home Repair Program - \$200,000, from \$200,000 to \$400,000 - Financing: 2000-01 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2592

Item 30: Authorize a contract for a duplicate vendor payment audit for the accounts payable unit of the Office of Financial Services with the lowest responsible bidder of three - The Profit Recovery Group, USA Inc. - City will pay 29.891% of funds recovered - Estimated Revenue: \$200,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2593

Item 31: Authorize a contract for the cleaning and restoration of AlucoBond panels for terminal buildings at Dallas Love Field Airport with the lowest responsible bidder of two - V. Anderson, Inc. - Not to exceed \$99,400 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2594

Item 32: Authorize a twenty-four-month price agreement for powdered beverages with the lowest responsible bidder of ten - Lone Star Safety, Inc. - Not to exceed \$173,037 - Financing: Current Funds (\$161,466) and Water Utilities Current Funds (\$11,571)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2595

Item 33: Authorize a thirty-six-month price agreement for rental of utility carts with the lowest responsible bidders of two - Metro Golf Cars and E-Z-GO Division of Textron, Inc. - Not to exceed \$320,994 - Financing: Current Funds (\$141,301), Golf Improvement Trust Funds (\$121,055), Convention and Event Services Current Funds (\$49,414) and Water Utilities Current Funds (\$9,225)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2596

Item 34: Authorize a thirty-six-month price agreement for heavy equipment transmission and differential parts and labor with the lowest responsible bidder of two - Truck Parts Specialists - Not to exceed \$623,700 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2597

Item 35: Authorize a thirty-six-month service contract for the removal of waste and contaminated water and fuel with the lowest responsible bidder of seven - Eagle Construction and Environmental Services, L.P. - Not to exceed \$62,955  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2598

Item 36: Authorize a thirty-six-month price agreement for library standing orders and continuations, which are multi-year orders for books published, with the lowest responsible bidder of four - Brodart Company - Not to exceed \$744,218 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2599

Item 37: Authorize (1) a five-year licensing agreement with Accurate Software, Inc. for computerized bank reconciliation software, maintenance and support services - Not to exceed \$111,000 and (2) the purchase of computer hardware, professional services and peripherals for dedicated use in reconciling the City's bank accounts in conjunction with the software obtained from the lowest bidder of three - Accurate Software, Inc. - Not to exceed \$73,800 - Total not to exceed \$184,800 - Financing: Current Funds (\$88,800 subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2600

Item 38: Authorize a thirty-six-month price agreement for anthracite filter media for the drinking water purification process with the lowest responsible bidder of three - Lang Filter Media - Not to exceed \$490,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2601

Item 39: Authorize a thirty-six-month service contract for lateral clean-out installations with the lowest responsible bidder of five - Agave Environmental - Not to exceed \$1,160,000 - Financing: Water Utilities Capital Construction Funds

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting, agenda item 39 was brought up for consideration.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2602

Item 40: Authorize a forty-eight-month service contract for plumbing services for the Volunteers in Plumbing Program with the lowest responsible bidder of three - TJW Enterprises, Inc. - Not to exceed \$69,425 - Financing: 2000-01 Community Development Grant Funds (\$28,865), 2001-02 Community Development Grant Funds (\$30,000) and 2002-03 Community Development Grant Funds (\$10,560 - subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2603

Item 41: Authorize the purchase of an Inductively Coupled Plasma Spectrophotometer, which is used for testing of water, wastewater, soils and sludge samples, with a four year warranty from Spectro Analytical Instruments, Inc. - Sole Source - Not to exceed \$106,043 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2604

Item 42: Authorize a twenty-four-month price agreement for cured-in-place pipe to provide for the rehabilitation of existing wastewater mains with the lowest responsible bidder of three - BRH Garver Construction - Not to exceed \$1,188,470 - Financing: Water Utilities Capital Construction Funds

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

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

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2605

Item 43: Authorize a professional services contract with the law firm of White Sims & Wiggins, L.L.P. for legal services necessary in the lawsuit, styled Keith B. Burkins v. City of Dallas and Roger A. Rudloff, Civil Action No. 3:00-CV-2377-L, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$40,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2606

Item 44: Authorize a professional services contract with the law firm of White Sims & Wiggins, L.L.P. for legal services necessary in the lawsuit, styled Loretta Anderson v. City of Dallas, Civil Action No. 3:01-CV-0861-R, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2607

Item 45: Authorize settlement of a lawsuit, styled Tanya Wierzbicki v. City of Dallas, Cause No. cc-01-03150-c - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2608

Item 46: Authorize settlement of a lawsuit, styled Jesse Martinez v. Corey Foreman, Dallas Police Department and City of Dallas, Cause No. DV00-08327-C -  
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2609

Item 47: Authorize a contract with the Greater Dallas Veterans Foundation for the city-sponsorship of the 2001 Veteran's Day Parade and Ceremony in downtown Dallas on Saturday, November 10, 2001 - Not to exceed \$30,000 - Financing: Convention and Event Services Current Funds

Councilmember Miller requested that consent agenda item 47 be considered as an individual item. Mayor Kirk stated that consent agenda item 47 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 47 was brought up for consideration.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2610

Item 48: Authorize (1) a policy amendment to the City-Sponsorship of Special Events Program stating that the City of Dallas shall not directly or indirectly sponsor any special event that promotes and/or endorses political statements and agendas, and (2) contracts for FY 2001-02 City-Sponsorship of Special Events Program - Not to exceed \$85,000 - Financing: Convention and Event Services Current Funds

Councilmembers Garcia and Miller 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 Councilmembers Garcia and Miller's request.

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

Councilmember Finkelman ask the maker of the motion if she would accept a friendly amendment that the city sponsorship of the Special Events Program be amended to require recipient to reimburse the city of their special events directly or indirectly promotes and/or endorses political statements and agendas.

Councilmember Garcia asked the maker of the motion if she would accept a friendly amendment to remove the funding for the Oak Cliff Cinco De Mayo Parade and Festival and the Oak Cliff Fiestas Patrias Festival for this year to place back into the Cultural Affairs budget to be used for next year's festival.

Councilmember Miller asked the maker of the motion if she would accept a friendly amendment to not fund any for profit entities.

The city secretary stated that there was not a motion on the floor.

Mayor Pro Tem Poss moved to delay consideration on Part 1 that authorized a policy amendment to the City-Sponsorship of Special Events Program until the full council has been briefed and approve contracts for FY 2001-02 City-Sponsorship of Special Events.

Motion seconded by Deputy Mayor Pro Tem Loza.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-2610

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Councilmember Finkelman asked Mayor Pro Tem Poss if she would accept a friendly amendment to approve the contracts for FY 2001-01 City-Sponsorship of Special Events with the exception of the Dallas Blues Festival and Arts Fair, Dallas Festival of Arts and Jazz, Deep Ellum Arts Festival, Oak Cliff Cinco De Mayo Parade and Festival and the Oak Cliff Fiestas Patrias Festival and discuss the policy amendments at the next Business and Commerce committee meeting with a recommendation brought back to the full council.

Both Mayor Pro Tem Poss and Deputy Mayor Pro Tem Loza accepted the friendly amendment and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2611

Item 49: Authorize (1) approval of the Deep Ellum Public Improvement District Service Plan for 2002; (2) a public hearing to be held on September 26, 2001 to receive citizens' comments concerning the annual assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2002; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.



# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2612

Item 50: Authorize (1) approval of the Dallas Downtown Improvement District Service Plan for 2002; (2) a public hearing to be held on September 26, 2001 to receive citizens' comments concerning the annual assessment rate for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Dallas Downtown Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2002; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Estimated City Participation - \$128,000 - Financing: Current Funds (subject to future appropriations)

Councilmember Lill requested that consent agenda item 50 be considered as an individual item. Mayor Kirk stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 50 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Poss, Loza and Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2613

Item 51: Authorize (1) approval of the Prestonwood Public Improvement District Service Plan for 2002; (2) a public hearing to be held on September 26, 2001 to receive citizens' comments concerning the annual assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2002; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2614

Item 52: Authorize (1) approval of the Uptown Public Improvement District Service Plan for 2002; (2) a public hearing to be held on September 26, 2001 to receive citizens' comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the public hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2002; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Councilmember Lill requested that consent agenda item 52 be considered as an individual item. Mayor Kirk stated that consent agenda item 52 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 52 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Poss, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2615

Item 53: Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 2002; (2) a public hearing to be held on September 26, 2001 to receive citizens' comments concerning the annual assessment rate for the District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2002; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2616

Item 54: Authorize a contract with the Texas Department of Health for the continuation of the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2001 through September 30, 2002 - Not to exceed \$6,736,615 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2617

Item 55: Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with Parkland Health & Hospital System for the continuation of operational costs of a 12-passenger van for the Dallas Healthy Start program through February 28, 2002 - Not to exceed \$22,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2618

Item 56: Authorize Contract Renewal No. 1 with Homeward Bound, Inc. for the provision of residential substance abuse treatment services for adults for the period October 1, 2001 through September 30, 2002 - Not to exceed \$90,057 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2619

Item 57: Authorize the reconstruction on site of four homes in accordance with the Home Repair Program Statement requirements for the properties located at 1918 Life Avenue, 3402 Nomas Street, 3333 Toronto Street, and 3506 McBroom Street - Not to exceed \$200,000 - Financing: 1999-00 HOME Funds (\$58,816), 2000-01 Urban Development Action Grant Funds (\$141,184)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2620

Item 58: Authorize amendments to the Bylaws of Dallas Community Television, Inc. to amend and restate the Bylaws for Dallas Community Television, Inc. to revise the composition of its Board of Directors to include expertise and diversity necessary to oversee the operations and accomplish the goals of the contract with the City of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2621

Item 59: An ordinance amending Ordinance No. 24612 which authorized Specific Use Permit No. 1444 for a private school on property zoned a TH-2(A) Townhouse District on Camp Wisdom Road, east of Indian Ridge Trail (Z001-167/11386-SW(JC) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24706.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2622

Item 60: Authorize an Interlocal Agreement and Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period September 1, 2001 through September 30, 2002 - Financing: No cost consideration to the City

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2623

Item 61: Authorize preparation of plans for issuance in an amount not to exceed \$124,000,000 (subject to Council approval of the FY 2001-02 budget) in Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2001 - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 61 be considered as an individual item. Mayor Kirk stated that consent agenda 61 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 61 was brought up for consideration.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

Councilmember Rasansky moved to substitute for Mayor Pro Tem Poss' motion to defer the item until the October 3, 2001 briefing meeting of the city council.

Motion seconded by Councilmember Miller.

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

Voting Yes: [2] Miller, Rasansky  
Voting No: [13] Kirk, Poss, Loza, Garcia, Thornton Reese, Hill, Oakley,  
Fantroy, Chaney, Walne, Finkelman, Greyson, Lill

Mayor Kirk declared the motion failed.

Mayor Kirk then called the vote on the original motion:

Voting Yes: [13] Kirk, Poss, Loza, Garcia, Thornton Reese, Hill, Oakley,  
Fantroy, Chaney, Walne, Finkelman, Greyson, Lill  
Voting No: [2] Miller, Rasansky

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2624

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 62-67, was presented.

Agenda items 62 and 66 were removed from the consent zoning docket to be considered as individual hearings.

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

<del>Agenda item 62: Zoning Case Z001-187(DC)</del>	<b>[Considered individually]</b>
Agenda item 63: Zoning Case Z001-208(WE)	
Agenda item 64: Zoning Case Z001-217(FD)	
Agenda item 65: Zoning Case Z001-219(RB)	
<del>Agenda item 66: Zoning Case Z001-227(WE)</del>	<b>[Considered individually]</b>
Agenda item 67: Zoning Case Z001-231(WE)	

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 Lill 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 Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2625

Item 62: Zoning Case Z001-187(DC)

The consent zoning docket, consisting of agenda items 62-67 was presented.

Councilmember Finkelman requested that consent zoning docket item 62 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 62 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

A public hearing was called on zoning case Z001-187(DC), an application for and ordinances granting an RR Regional Retail District on 0.3117 acres and a Planned Development District for MU-3(SAH) Mixed Use-3 Standard Affordable Housing District Uses on 88.362 acres on property presently zoned an RR Regional Retail District and Planned Development District No. 475 for Regional Retail District Uses on the west side of Prestonwood Boulevard between Belt Line Road and Arapaho Road.

(The city plan commission recommended approval, of an amendment to PD No. 475 to allow Regional Retail and Townhouse uses subject to a conceptual plan and conditions, and approval of a development plan and landscape plan on Tract 1 and approval of an RR Regional Retail District on 0.3117 acres.

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

Appearing in favor of the city plan commission recommendation.

Kirk Williams, 5400 Renaissance Tower, representing the applicant

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

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 24707 and ORDINANCE NO. 24708.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2626

Item 63: Zoning Case Z001-208(WE)

Zoning Case Z001-208(WE), an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 39 for a mixed use development or a residential development within Planned Development District No. 193, the Oak Lawn Special Purpose District, and an amendment to the development plan on the southwest corner of Maple Avenue and Wolf Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24709.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2627

Item 64: Zoning Case Z001-217(FD)

Zoning Case Z001-217(FD), an application for and an ordinance granting an amendment to expand Planned Development District No. 593 for IR Industrial Research District Uses an application for and an ordinance terminating a portion of Specific Use Permit No. 98 for Quarrying and Mining Operation, and an application for and an ordinance terminating Specific Use Permit No. 960 for a Concrete Batching Plant on property presently zoned an IR Industrial Research District located on the southeast corner of Cockrell Hill Road and Interstate Highway 30.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24710, ORDINANCE NO. 24711 and ORDINANCE NO. 24712.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2628

Item 65: Zoning Case Z001-219(RB)

Zoning Case Z001-219(RB), an application for and an ordinance granting a Planned Development District for LO-1 Limited Office District Uses and Surface Parking on property presently zoned an MF-2(A) Multifamily District and an LO-3 Limited Office District on the north corner of Simpson Street and Hill Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24713.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2629

Item 66: Zoning Case Z001-227(WE)

The consent zoning docket, consisting of agenda items, 62-67 was presented.

Councilmember Finkelman requested that consent zoning docket item 66 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 66 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

A public hearing was called on zoning case Z001-227(WE), an application for and an ordinance granting a Specific Use Permit for a Non-Premise Sign on property presently zoned an MU-1 (SAH) Mixed Use Standard Affordable Housing District on the northeast corner of LBJ Freeway and Meandering Way.

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

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

Councilmember Finkelman moved to postpone the application 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 Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2630

Item 67: Zoning Case Z001-231(WE)

Zoning Case Z001-231(WE), an application for and an ordinance granting a Specific Use Permit for a private school on property presently zoned an R-7.5(A) Single Family District and MF-2(A) Multifamily District located on the northwest side of Ferguson Road and Little Pocket Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24714.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2631

Item 68: Public Hearing - Zoning Case Z001-222(EB)

A public hearing was called on zoning case Z001-222(EB), an application for and an ordinance granting a Planned Development District for A(A) Agricultural District uses for the purpose of constructing an attached premise sign on property presently zoned an A(A) Agricultural District on State Highway Spur 408 (Patriot Parkway), North of Grady Niblo Road.

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

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

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

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 24715.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2632

Item 69: Public Hearing - Zoning Case Z001-200(EB)

A public hearing was called on zoning case Z001-200(EB), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned a TH-3(A) Townhouse District on Ryan Road, southwest of Garapan Drive.

(The city plan commission recommended approval of a Specific Use Permit for a Child-care facility for the two existing structures for a five-year period with automatic renewal for additional five-year periods, subject to a site plan and conditions, but denial of a Specific Use Permit for a Child-care facility for the expanded facility.

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

Councilmember Oakley moved to close the public hearing, accept the recommendation of the city plan commission of a Specific Use Permit for a child-care facility for the two existing structures for a five-year period with automatic renewal for additional five-year periods, subject to a site plan and landscape plans with proposed revised expansion and pass the ordinance.

Motion seconded by Councilmember Walne.

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

Voting Yes: [15] Kirk, Poss, Loza, Garcia, Miller, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Greyson, Rasansky, Lill

Voting No: [0]

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24716.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2633

Item 70: Public Hearing - Zoning Case Z001-205(WE)

A public hearing was called on zoning case Z001-205(WE), an application for and an ordinance granting a CH Clustered Housing District on property presently zoned an R-7.5(A) Single Family District on the south side of Givendale Road at Lancaster Road.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

Vinson Davidson, 133 Trailwood Dr., Coppell, TX

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

Councilmember Fantroy moved to postpone the application until the November 14, 2001 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2634

Item 71: Public Hearing - Zoning Case Z001-209(RB)

A public hearing was called on zoning case Z001-209(RB), an application for a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District on the northwest corner of Bonnie View Road and Persimmon Road.

(The city plan commission recommended denial.)

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

Councilmember Fantroy 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 Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2635

Item 72: Public Hearing - Zoning Case Z001-209(RB)

A public hearing was called on zoning case Z001-209(RB), an application for and a resolution accepting an amendment to deed restrictions to permit the tool or equipment rental use and to clarify that machinery, heavy equipment, or truck sales and service uses are permitted by right on property presently zoned an IR Industrial Research District located on the northeast corner of the intersection of Hampton Road and Daniieldale Road.

(The city plan commission recommendation approval of an amendment to the existing deed restrictions.)

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

Appearing in favor of the city plan commission recommendation:

Sally Longroy, 200 Crest Court, representing the applicant

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

Motion seconded by Councilmember Chaney and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2636

Item 73: Public Hearing - DEVELOPMENT CODE AMENDMENT - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on an application for and an ordinance amending Article VII "Sign Regulations" of Chapter 51A of the Dallas Development Code to revise the regulations for the Downtown Special Provision Sign District ordinance regarding attached non-premise signs.

(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 September 12, 2001, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

Arnold Velez, 3700 E. Randol Mill Rd., Arlington TX

Appearing in favor of the city plan commission recommendation:

Michael Anderson, 6446 Prestonsire Ln.

Deputy Mayor Pro Tem Loza moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Mayor Pro Tem Poss.

Councilmember Miller asked Deputy Mayor Pro Tem Loza if he would accept a friendly amendment to add a new section m:

“That the city plan commission and the city council would review the ordinance prior to its expiration in 2003”.

Deputy Mayor Pro Tem Loza accepted the amendment as part of his motion.

Mayor Pro Tem Poss who, seconded the original motion, also accepted the amendment.

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

Voting Yes: [12] Kirk, Poss, Loza, Garcia, Miller, Hill, Oakley, Chaney, Walne,  
Finkelman, Greyson, Lill  
Voting No: [3] Thornton Reese, Fantroy, Rasansky

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24717.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2637

Item 74: Public Hearing - DEVELOPMENT CODE AMENDMENT - UNDER  
ADVISEMENT - INDIVIDUAL

A public hearing was called on a proposal for and an ordinance amending Chapter 51(A) of the Dallas Development Code to establish three new zoning districts, Urban Corridors 1, 2, and 3, to encourage mixed use, pedestrian-oriented development.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on August 8, 2001, and was taken under advisement until September 12, 2001, with the public hearing open.)

The following individuals addressed the city council regarding the Development Code Amendment:

William Hopkins, 2011 Leath St.  
Eula Bryant, 2510 South Blvd.

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

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

Motion seconded by Councilmember Oakley and unanimously adopted.

Assigned ORDINANCE NO. 24718.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2638

Miscellaneous Hearing - **Sales of Unimproved Properties**

- Item 75: \* A public hearing to receive citizens' comments on the proposed private sale by quitclaim deed of 8 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to qualified non-profit organizations - Financing: No cost consideration to the City
- Item 76: \* Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of 8 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to qualified non-profit organizations - Revenue: \$8,000

The following individual addressed the city council regarding the sales of unimproved properties:

William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2639

01-2640

Item 77: Consideration of appointments to boards and commissions (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and renominations received for city board and commission appointments for the 2001-2003 board term updated through September 12, 2001.

The city secretary noted that the report indicated nominees and renominees for individual appointments cleared for council action that met all qualifications for service. The city secretary also noted that the term for each nominee would end August 31, 2003.

Mayor Kirk appointed Bruce Wilke, as chair, to the City Plan Commission Board.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Councilmember Fantroy moved to appoint all of the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2003.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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

**01-2655 CSX CIVIL SERVICE BOARD ADJUNCT MEMBERS**

**01-2656 MLK MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD**

**01-2657 Board Officers**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2641

Item 78: A resolution approving a plan for changing City Council district boundaries based on population data from the 2000 Census and as required by the City Charter and other applicable laws - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the district boundaries:

Rachel Perez, 2018 Elmwood Blvd.	<b>OPPOSE</b>
Roxan Staff, 6964 Tokalon Dr	<b>OPPOSE</b>
Frances Rizo, 714 s. Winnetka Ave.	<b>OPPOSE</b>
Adelfa Callejo, 3810 Frontier Ln.	<b>OPPOSE</b>
Brenda Reyes, 6112 Ravendale Ln.	<b>OPPOSE</b>
Carlos Quintanill, 3346 Jubilee Tr., representing Grupo Azteca	<b>OPPOSE</b>
Gloria De La Cruz, 4438 Sexton Ln.	<b>OPPOSE</b>
Henry Martinez, 6507 Emhouse St., representing Ledbetter Neighborhood Association	<b>OPPOSE</b>
William Callejo, 3810 Frontier Ln., representing Puerto Rican Legal Defense and Education Fund	<b>OPPOSE</b>
Diana Flores, 1134 Mountain Lane	<b>OPPOSE</b>
Harry Tujillo, 2759 Gladstone Dr.	<b>OPPOSE</b>
Fernando Andrade, 9623 Windy Terrace Dr.	<b>OPPOSE</b>
Roberto Chavarria, 210 N. Ira Ave., representing Association of Comerciantes Impresarios of Texas	<b>OPPOSE</b>
Lico Reyes, 716 S. Deerfield, Arlington, TX, representing LULAC	<b>OPPOSE</b>

Mayor Pro Tem Poss moved to approve the resolution adopting the 8-16- Final districting plan with the following change:

To revise the boundary between Districts 9 and 14 to include part of precincts 1220 and 2236 in District 9 and to include a part of Precinct 2230 in District 14.

Motion seconded by Councilmember Lill.

Councilmember Hill asked Mayor Pro Tem Poss if she would accept a friendly amendment to her motion to add the Concord and Friendship West Church Exchange that shows that Concord Baptist Church is in district 5 and Friendship West Baptist Church is in district 8.

Motion seconded by Councilmember Fantroy.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-2641

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

Voting Yes: [13] Kirk, Poss, Miller, Thornton Reese, Hill, Oakley, Chaney,  
Fantroy, Walne, Finkelman, Greyson, Rasansky, Lill  
Voting No: [2] Loza, Garcia

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2642

Item 79: A moratorium on single-family building permits and replats pending completion of Amendments to PD No. 193, the Oak Lawn Special Purpose District (Deputy Mayor Pro Tem Loza, Councilmembers Lill, Finkelman, Walne and Chaney)

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

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

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2643

Item 80: First reading of the appropriation ordinances for the proposed FY 2001-02 City of Dallas Operating, Grants and Trusts, and Capital Budgets

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

Later in the meeting, Councilmember Lill moved to suspend the rule to allow Kevin King to speak.

Motion seconded by Councilmember Finkelman.

Mayor Kirk called the vote on the motion to suspend the rules.

Mayor Kirk declared the rules suspended as two-thirds of the city council members present had voted in the affirmative.

The following individual addressed the city council:

Kevin King, 17374 Preston Rd.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2644

Item 81: Authorize an extension to the moratorium established by Resolution No. 01-0390 originally passed by the City Council on January 24, 2001, regarding 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 January 10, 2002 - Financing: No cost consideration to the City **(Requires a  $\frac{3}{4}$  vote of the full City Council for approval)**

Councilmember Fantroy moved to extend the moratorium until the November 14, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2645

Addendum addition 1: Authorize Supplemental Agreement No. 2 to the development agreement with Gables Realty Limited Partnership approved by City Council Resolution No. 99-3444 on October 27, 1999, as amended, (1) to increase the TIF funding for the development of Blocks 581 and 585 (Phase II) by \$400,000, from \$2,133,916 to \$2,533,916 (of which \$791,603 has been committed for the downstream wastewater line) (2) to increase appropriations in the amount of \$400,000 from \$5,500,163 to \$5,900,163 in the State-Thomas TIF District Funds, and (3) to extend the final completion date from December 31, 2002 to December 31, 2004 - \$400,000 - Financing: State-Thomas TIF District Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2646

Addendum addition 2: Authorize a contract with Oak Farms Dairy to accept a donation in the amount of \$1,000,000 over five years, in exchange for naming the performance hall as the "Oak Farms Dairy Performance Hall at the Latino Cultural Center", 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: Private Funds

Councilmember Garcia moved to suspend the rules to take addendum addition 2 out of order of the agenda.

Motion seconded by Deputy Mayor Pro Tem Loza.

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

Councilmember Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2647

Addendum addition 3: Authorize the rejection of bids received for the construction of water and wastewater mains at Hensley Field and authorize the re-advertisement for new bids - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2648

Addendum addition 4: Authorize an increase in the contract with Austin Bridge and Road, Inc. for additional resurfacing improvements in the Asphaltic Concrete Resurfacing Group 2 - \$86,522, from \$3,370,593 to \$3,457,115 - Financing: Water Utilities Capital Construction Funds

Mayor Pro Tem Poss moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2649

Addendum addition 5: Authorize a license agreement between the City of Dallas and CityNet Telecommunications, Inc. and its wholly-owned subsidiary, CityNet U. S. Operating Company, for the installation of a fiber optic cable network system in wastewater mains and storm water drainage systems - Revenue: \$50,000 licensing fee and 2.5 percent of the gross receipts

Mayor Pro Tem Poss moved to approve the item.

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

Assigned ORDINANCE NO. 24719.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2650

Addendum addition 6: Authorize deposit of a Special Commissioners' Award for the acquisition from Shiu Fong Yeung of approximately 21,630 square feet of land improved with a one story building located at the intersection of Ross and Leonard Streets, needed for the Performing Arts Center Project - \$1,401,790 - Financing: 1998 Bond Funds (\$1,051,343) and Performing Arts Complex Funds (\$350,447)

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2651

Addendum addition 7: Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. to provide additional design services for the Latino Cultural Center - \$275,865, from \$661,039 to \$936,904 - Financing: 1995 Bond Funds

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

Councilmember Lill moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Rasansky abstain)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2652

Addendum addition 8: **Code of Ethics Amendments/Waiver**

- \* An ordinance amending Section 12A-3 of Chapter 12A of the Dallas City Code to allow a city official or employee who is serving as an officer or director or in any other policymaking position for a business entity at the direction of the city to take official action on behalf of the city on matters concerning that business entity - Financing: No cost consideration to the City

Councilmember Lill moved to pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 24720.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2653

Addendum addition 9: **Code of Ethics Amendments/Waiver**

- \* An ordinance amending Section 12A-15 of Chapter 12A of the Dallas City Code to authorize the City Council to waive restrictions on former city officials, who are former members of boards and commissions that are more than advisory in nature, having financial interests in discretionary city contracts for one year after leaving city service - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza

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

Voting Yes: [12] Kirk, Poss, Loza, Garcia, Thornton Reese, Chaney,  
Fantroy, Walne, Finkelman, Greyson, Lill

Voting No: [2] Miller, Rasansky

Absent when vote taken: [1] Hill

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24721.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2654

Addendum addition 10: **Code of Ethics Amendments/Waiver**

Consideration of Addendum Item No. 10 is contingent upon approval of Addendum Item No. 9

- \* An ordinance waiving the restriction of Section 12A-15(a) of the Dallas City Code, which prohibits former members of boards and commissions that are more than advisory in nature from having financial interests in discretionary city contracts for one year after leaving the service of the city, for Carmen Garcia, former member of the Ethics Advisory Commission - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Poss.

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

Voting Yes: [13] Kirk, Poss, Loza, Garcia, Thornton Reese, Hill, Chaney,  
Fantroy, Walne, Finkelman, Greyson, Lill  
Voting No: [2] Miller, Rasansky

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24722.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 12, 2001

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 12, 2001

01-2560

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

PRESENT: [15] Kirk, Poss, Loza, Garcia, Miller, Thornton Reese, Hill, Oakley,  
Chaney, Fantroy, Walne, Finkelman, Greyson, Rasansky, Forsythe  
Lill

ABSENT: [0]

**CORRECTIONS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2629

Item 66: Zoning Case Z001-227(WE)

The consent zoning docket, consisting of agenda items, 62-67 was presented.

Councilmember Finkelman requested that consent zoning docket item 66 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 66 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

A public hearing was called on zoning case Z001-227(WE), an application for and an ordinance granting a Specific Use Permit for a Non-Premise Sign on property presently zoned an MU-1 (SAH) Mixed Use Standard Affordable Housing District on the northeast corner of LBJ Freeway and Meandering Way.

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

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

Councilmember Finkelman moved to postpone the application 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 ~~Finkelman~~ Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 12, 2001

01-2636

Item 73: Public Hearing - DEVELOPMENT CODE AMENDMENT - UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called on an application for and an ordinance amending Article VII "Sign Regulations" of Chapter 51A of the Dallas Development Code to revise the regulations for the Downtown Special Provision Sign District ordinance regarding attached non-premise signs.

(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 September 12, 2001, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

Arnold Velez, 3700 E. Randol Mill Rd., Arlington TX

Appearing in favor of the city plan commission recommendation:

Michael Anderson, 6446 Prestonsire Ln.

Deputy Mayor Pro Tem Loza moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Mayor Pro Tem Poss.

Councilmember Miller asked Deputy Mayor Pro Tem Loza if he would accept a friendly amendment to add a new section m:

“That the city plan commission and the city council would review the ordinance prior to its expiration in 2003”.

Deputy Mayor Pro Tem Loza accepted the amendment as part of his motion.

Mayor Pro Tem Poss who, seconded the original motion, also accepted the amendment.

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

Voting Yes: [12] Kirk, Poss, Loza, Garcia, Miller, Hill, Oakley, Chaney, Walne,  
Finkelman, Greyson, Lill  
Voting No: [3] Thornton Reese, Fantroy, Rasansky

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24717.