

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2001

01-3020

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, Finkelman, Greyson, Forsythe Lill

ABSENT: [1] Rasansky

The meeting was called to order at 9:21 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 1:38 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, OCTOBER 10, 2001

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2001

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3021

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: Enid Breakstone, 10356 Estacado Dr.
REPRESENTING: The Queenie Foundation
SUBJECT: New Animal Shelter

SPEAKER: Pamela James, 535 Classen Dr.
SUBJECT: Funding for Oak Cliff Animal Shelter

SPEAKER: Penina Weiner, 11711 El-Hara Cir. **CANCELED**
SUBJECT: Chopping trees

SPEAKER: Terri Morgan, 4611 Walnut Hill Ln.
REPRESENTING: Christian Life Commission Baptist General Convention of Texas
SUBJECT: Environmental Justice

SPEAKER: Michael McClain, 213 E. Crestwood Dr. **CANCELED**
SUBJECT: Dallas Unity

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Amelia Jenkins, 1775 Young St.
SUBJECT: Signage

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

SPEAKER: Jewel Floyd, 3815 Myrtle St. **NO SHOW**
SUBJECT: Please pay Jewel Floyd for bricks stolen by the City

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Corruption/South Dallas Plan/KKK/Minyard's/Smirnoff

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-3021

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SPEAKER: Roy Williams, 5881 Preston View Blvd. **CANCELED**
REPRESENTING: Forty Acres And A Mule
SUBJECT: Advent of Cadillac Heights vs. 2012 Olympics

SPEAKER: Jose Cardenas, 2624 Douglas Ave.
REPRESENTING: Park Congress Apartments
SUBJECT: Release of liens by City of Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3022

Item 1: Approval of Minutes of the September 26, 2001 City Council Meeting

Councilmember Miller moved to defer the minutes until the October 24, 2001 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3023

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-39 was presented for consideration.

Councilmember Miller requested that consent agenda items 6, 31, 32, and 33 be considered as individual items. Mayor Kirk stated that consent agenda items 6, 31, 32 and 33 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 22 be considered as an individual item. Mayor Kirk stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda with the exception of consent agenda items 6, 22, 31, 32 and 33 would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3024

Item 2: **KATY Trail**

- * Authorize a professional services contract with Washington Infrastructure Services, Inc. to provide engineering services for bicycle and pedestrian enhancements on Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Street just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street - \$234,190 - Financing: 1998 Bond Funds (\$187,352 to be reimbursed by the Texas Department of Transportation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3025

Item 3: **KATY Trail**

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations, and construction of bicycle and pedestrian enhancements on Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Street just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street - \$6,200 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3026

Item 4: Authorize an increase in the contract with American Restoration for additional work required for the construction of the City Hall Plaza fountain and parking garage repairs project - \$105,420, from \$2,026,183 to \$2,131,603 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3027

- Item 5: Authorize an increase in the contract with Manhattan Construction Company for the construction of the Dallas Convention Center Expansion and Renovation 2002 project
- \$221,201, from \$93,553,654 to \$93,774,855, within the Guaranteed Maximum Price
 - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3028

Item 6: Authorize a thirty-year lease agreement with Learjet TX., L.P., a subsidiary of Bombardier, Inc. for approximately 571,000 square feet of land for the construction of a new maintenance hangar at Love Field Airport - Estimated Revenue: \$141,926 annually

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

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

Councilmember Miller moved to refer the item back to the Business and Commerce Committee for further review.

Motion seconded by Councilmember Chaney.

Councilmember Thornton Reese asked Councilmember Miller if she would accept a friendly amendment to her motion to refer the item to full council.

Councilmember Miller accepted the amendment as part of her motion.

Councilmember Chaney who, seconded the original motion, also accepted the amendment and unanimously adopted. (Rasansky absent)

[Councilmember Finkelman asked that the city attorney give a broader discussion on the impact of forms of businesses operating.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3029

- Item 7: Authorize the release of non-tax City liens against a privately owned vacant property located at 4131 Tram Drive using the Land Transfer Program, in exchange for Voice of Hope Community Development Corporation paying all delinquent taxes, penalties and interest on the property and providing affordable housing on the property for a low income household - Estimated revenue foregone: \$12,725

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3030

Item 8: An ordinance granting a revocable license to Dynamic Details Texas, L.P. and Dynamic Details, L. P. for the use of approximately 180 square feet of land to install and maintain fiber optic telecommunication cable under a portion of Pagemill Road right-of-way located near its intersection with Chartwell Drive - Revenue: \$1,000 annually plus the \$20 ordinance fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24747.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3031

Item 9: Authorize a 3-year renewal of the existing lease agreement with The Child Care Group, for approximately 14,418 square feet of space located in the Child Care Building at the Martin Luther King, Jr. Community Center for the period of November 1, 2001 through October 31, 2004 - Revenue: \$168,691 - FY 2002: \$46,919; FY 2003: \$55,810; FY 2004: \$60,856; FY 2005: \$5,106

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3032

Item 10: Authorize a thirty-six-month State and Local Government Enterprise Agreement with Microsoft Corporation through Software House International, Incorporated, a representative of the State of Texas Department of Information Resources, for Microsoft computer software products and desktop and server services - Not to exceed \$4,125,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3033

Item 11: Authorize a twenty-four-month multiple award price agreement for oil, grease and lubricant products with the lowest responsible bidders of six - KnightCo Oil Company, NCH Corporation Certified, Schaeffer Mfg. Co., Kost USA, Inc. - Not to exceed \$1,394,036 - Financing: Current Funds (\$835,240), Aviation Current Funds (\$674), Convention and Event Services Current Funds (\$2,716), and Water Utilities Current Funds (\$555,406)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3034

Item 12: Authorize (1) a contract for the installation of a computerized revenue control system at the Love Field Parking Garage with Ascom Transport Systems, Inc. in the amount of \$1,803,910 (2) assignment of the construction contract to Hunt Construction Group, Inc. for construction management within the Guaranteed Maximum Price, and (3) a contract for the maintenance of the installed computerized revenue control system from the warranty period one year after total system acceptance for nine additional years - Not to exceed \$1,600,273 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3035

Item 13: Authorize (1) rescinding the price agreement with Harvest Disposal, Inc. for city-wide dumpster rental and trash removal, previously authorized by Council Resolution #99-3851, on December 8, 1999, (2) a price agreement with Waste Management of Dallas, lowest responsible bidders of three in the amount of \$32,805 and (3) an increase in the price agreement with Waste Management of Dallas and Moore Disposal, Inc. - Not to exceed \$266,006, from \$1,124,026 to \$1,390,032 - Financing: Current Funds (\$107,787), Convention and Event Services Current Funds (\$151,622) and Water Utilities Current Funds (\$6,597)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3036

Item 14: Authorize the purchase of hardware and electronic devices for City Hall stairwell doors from the lowest responsible bidder of five - Southcrest Corporation - Not to exceed \$66,343 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3037

Item 15: Authorize a thirty-six-month price agreement for children's replacement books for the Dallas Public Library with the lowest responsible bidder of four - Baker & Taylor, Inc. - Not to exceed \$579,525 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3038

Item 16: Authorize a twenty-four-month price agreement for athletic equipment and recreational supplies with the lowest responsible bidders of seven - U. S. Games, Inc., Prestige Flag/Golf, Collegiate Pacific, Sports Master, Speith Anderson USA, Inc. and S&S World Wide, Inc. - Not to exceed \$398,482 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3039

Item 17: Authorize (1) rescinding the price agreement for heavy equipment rental with Con-Equipment, Inc., previously authorized by Council Resolution #01-0528, on February 14, 2001, and (2) a price agreement with Romco Equipment Company, lowest responsible bidder of three - Not to exceed \$576,735 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3040

Item 18: Authorize settlement of a lawsuit, styled Adonis Baxter v. Roger D. Carney, Civil Action No. 3:99-CV-2665-P - \$85,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3041

Item 19: Authorize a professional services contract with the Downtown Partnership, Inc. to inventory existing retail property, identify key uses and locations for retail within the city core and start-up implementation activities related to the development of additional retail space in Tax Increment Reinvestment Financing Zone Number Five, City of Dallas, Texas (City Center TIF District) - Not to exceed \$150,000 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3042

Item 20: **City Center TIF District**

- * Authorize an amendment to Resolution No. 01-2095 approved on June 27, 2001 to amend the provisions of the development agreement to (1) reduce the funding for the construction of certain public infrastructure, landscaping and facade improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) from \$650,000 to \$250,000 and (2) amend the required development to conform with revised development plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3043

Item 21: **City Center TIF District**

- * Rescind City Council Resolution 01-2097 that authorized a development agreement with Metropolitan Garage LTD, L.L.P. to (1) provide for the funding and construction of certain public parking and streetscape improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$500,000; (2) provide for the funding and construction of certain public infrastructure, landscaping improvements to Four Way Place in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$165,000 and public parking improvements in an amount not to exceed \$335,000; (3) allow for the collection of revenue from the public parking improvements and (4) reduce appropriations in the amount of \$400,000, from \$650,000 to \$250,000 in the City Center TIF District Funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3044

Item 22: Authorize a contract with Mothers (Fathers) for the Advancement of Social Systems, Inc. for the provision of a Community Re-entry Support Services for Parolees/Families Program that will provide case management and support services to first time offenders who have completed 5 or more years of prison and are eligible for parole in 6 months or less and children of incarcerated family members for the period October 1, 2001 through September 30, 2002 - Not to exceed \$50,924 - Financing: 2001-02 Community Development Grant Funds

Councilmember Garcia requested that consent agenda item 22 be considered as an individual item. Mayor Kirk stated that consent agenda item 22 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 22 was brought up for consideration.

Councilmember Garcia moved to defer the item until the October 24, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman.

Councilmember Hill moved to substitute for Councilmember Garcia's motion to approve the item.

Motion seconded by Councilmember Chaney.

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

Voting Yes:	[8]	Kirk, Poss, Thornton Reese, Hill, Chaney, Fantroy, Walne, Greyson
Voting No:	[6]	Loza, Garcia, Miller, Oakley, Finkelman, Lill
Absent:	[1]	Rasansky

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3045

Item 23: Authorize a contract with the Martin Luther King, Jr. Family Clinic for the provision of pediatric health care services for the period October 1, 2001 through September 30, 2002 - Not to exceed \$67,100 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3046

Item 24: Authorize a contract with Dental Health Programs, Inc. for the continuation of dental health services to eligible residents for the period October 1, 2001 through September 30, 2002 - Not to exceed \$880,000 - Financing: 2001-02 Urban Development Action Grant Funds (\$55,000), 2001-02 Community Development Grant Funds (\$200,000) and Current Funds (\$625,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3047

Item 25: Authorize the payment of certification and testing fees to the Texas State Commission on Fire Protection for the appropriate certification levels of each uniformed Fire Department employee - Not to exceed \$38,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3048

Item 26: Authorize exercise of the final twelve-month renewal option to the contract with the Hartford Life and Accident Insurance Company for group basic term life, voluntary dependent life, and accidental death and dismemberment insurance coverage to support the Employee Benefits Program - Not to exceed \$4 per employee per month - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3049

Item 27: Authorize the first of two twelve-month renewal options to the professional services contract with The Enterprise Foundation, Inc. to provide financial services and administration of the City's Mortgage Assistance Program for fiscal year 2001-02, contract renewal to include additional funding in an amount of \$5,270,000 for programs and \$450,000 for administrative costs - Not to exceed \$5,720,000 - Financing: 2001-02 Community Development Grant Funds (\$275,000), 2001-02 HOME Funds (\$5,445,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3050

Item 28: Authorize an amendment to the Interlocal Agreement with the Dallas Housing Authority to (1) extend the contract from November 23, 2001 to November 24, 2003 and (2) correct the listing of eligible residents and properties for down payment and closing cost assistance under the Dallas Housing Authority's Turnkey III Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3051

Item 29: Authorize (1) acceptance and execution of the telecommunication grant agreement from the Telecommunications Infrastructure Fund Board in the amount of \$860,000 to provide enhanced Internet access for the Dallas Public Library; and (2) City's match in an amount not to exceed \$89,331 - \$949,331 - Financing: Telecommunications Infrastructure Funds (\$860,000) and Current Funds (\$89,331)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3052

Item 30: Authorize the preparation of plans for issuance of \$31,580,000 Equipment Acquisition Contractual Obligations, Series 2001 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3053

Item 31: Authorize the preparation of plans for issuance of \$8,325,000 Risk Management Certificates of Obligation, Taxable, Series 2001 - Financing: This action has no cost consideration to the City

Councilmember Miller requested that consent agenda item 31 be considered as an individual item. Mayor Kirk stated that consent agenda item 31 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 31 was brought up for consideration.

Councilmember Walne 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 Councilmember Miller voting "No". (Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3054

Item 32: Authorize the preparation of plans for issuance of \$65,655,000 General Obligation Bonds, Series 2001 - Financing: This action has no cost consideration to the City

Councilmember Miller requested that consent agenda item 32 be considered as an individual item. Mayor Kirk stated that consent agenda item 32 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 32 was brought up for consideration.

Councilmember Miller moved to authorize the preparation of plans for issuance of \$65,655,000 General Obligation Bonds, Series 2001, but only allow \$900,000 for the Animal Shelter project.

Motion died due to lack of a second.

Mayor Pro Tem Poss moved to amend Section 1 and Section 9 to read:

Section 1: Old Wording: That the City Manager be and is hereby authorized to proceed with the necessary preparation for the sale of \$65,655,000 General Obligation Bonds, Series 2001 with such sale to occur on November 14, 2001.

Revised wording: That the City Manager be and is hereby authorized to proceed with the necessary preparation for the sale of ~~\$65~~\$64, 655,000 General Obligation Bonds, Series 2001 with such sale to occur on November 14, 2001.

Section 9:

Old Wording (in part):

<u>Fund No.</u>	<u>Fund Name</u>	<u>Sale Amount</u>
1P14	Trinity River Corridor Project	<u>\$ 1,000,000</u>
Total		\$65,655,000

Revised Wording (in part):

<u>Fund No.</u>	<u>Fund name</u>	<u>Sale Amount</u>
1P14	Trinity River Corridor Project	<u>\$ 0,000,000</u>
Total		\$64,655,000

Motion seconded by Deputy Mayor Pro Tem Loza.

Councilmember Greyson moved to substitute for Mayor Pro Tem Poss' motion to reduce the preparation of plans for issuance of \$64,655,000 General Obligation Bonds, Series 2001 by amending Section 9, Fund No. 1P46 Animal Control Facilities by \$1.9 million.

Motion seconded by Councilmember Miller.

During discussion, Councilmember Greyson withdrew her substitute motion to reduce the General Obligation Bonds, Series 2001 by \$1.9 million eliminating the funds for the Animal Shelter; and made another substitute motion to reduce the preparation of plans for issuance of \$64,655,000 General Obligation Bonds, Series 2001 by amending Section 9, Fund No. 1P46, Animal Control Facilities by \$2,900,000.

Motion seconded by Councilmember Miller.

After discussion, Mayor Kirk called the vote on Councilmember Greyson's substitute motion:

Voting Yes:	[6]	Miller, Oakley, Walne, Finkelman, Greyson, Lill
Voting No:	[8]	Kirk, Poss, Loza, Garcia, Thornton Reese, Hill, Chaney, Fantroy
Absent:	[1]	Rasansky

Mayor Kirk declared the motion failed.

Mayor Kirk then called the vote on the original motion:

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3055

Item 33: Authorize a professional services contract with First Southwest Asset Management, Inc. to provide investment advisory services for a two-year period beginning November 1, 2001 through October 31, 2003 with an option to extend the term for one additional two-year period - Not to exceed \$80,000 - Financing: Current Funds

Councilmember Miller requested that consent agenda item 33 be considered as an individual item. Mayor Kirk stated that consent agenda item 33 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 33 was brought up for consideration.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

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

Voting Yes:	[11]	Kirk, Poss, Loza, Thornton Reese, Hill, Chaney, Fantroy, Walne, Finkelman, Greyson, Lill
Voting No:	[2]	Garcia, Miller
Absent:	[1]	Rasansky
Absent when vote taken:	[1]	Oakley

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3056

Item 34: Authorize the acceptance of the Fair Housing Assistance Program grant from the U.S. Department of Housing and Urban Development to process, investigate and conciliate housing discrimination complaints and to provide fair housing education and outreach for the period October 1, 2001 through September 30, 2002 and execution of the grant agreement - \$231,710 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3057

Item 35: Authorize the Police Department to expend funds for overtime, and receive reimbursement for the expenditures from various federal and state law enforcement agencies for FY 2001-02 in exchange for the participation of the Dallas Police Department in federal and state investigations - Not to exceed \$500,000 - Financing: Current Funds (to be fully reimbursed from various federal and state law enforcement agencies)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3058

Item 36: Authorize the acceptance of the Dallas Police Department Victim Services/1 grant from the Office of the Governor, Criminal Justice Division in the amount of \$44,560 to adequately respond to victims of violent crime with needed aid, for the period July 1, 2001 through June 30, 2002, a local match in the amount of \$14,853, and execution of the grant agreement - \$59,413 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$44,560) and Current Funds (\$14,853)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3059

Item 37: Authorize the acceptance of the East Dallas Community Enhancement Program/2 grant from the Office of the Governor, Criminal Justice Division in the amount of \$40,483 to support the East Dallas Storefront, for the period October 1, 2001 through September 30, 2002, a local match in the amount of \$9,922 and execution of the grant agreement - \$50,405 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$40,483) and Current Funds (\$9,922)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3060

Item 38: Authorize the acceptance of the Sexual Offender Apprehension Program/5 grant from the Office of the Governor, Criminal Justice Division in the amount of \$58,536 to monitor sex offender compliance with the registration law, for the period October 1, 2001 through September 30, 2002, a local match in the amount of \$289,774, and execution of the grant agreement - \$348,310 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$58,536) and Current Funds (\$289,774)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3061

Item 39: A resolution endorsing the expansion of the Dallas Police Department's "Police and Constables in Partnership Program" for increased traffic enforcement and crime reduction efforts to include Northwest Dallas (which includes portions of City Council Districts 1, 2, 3, 6, and 14) with Dallas County Constable Precinct 5, and Southwest Dallas (which includes portions of City Council District 3) with Dallas County Constable Precinct 4, while continuing the program in Northeast Dallas (which includes portions of City Council Districts 7, 9, 10, 11, 12, 13, and 14) with Dallas County Constable Precinct 3 and continuing the program in Southwest Dallas (which includes portions of City Council Districts 2, 3, 4, 5, 6, 7, 8, and 14) with Dallas County Constable Precinct 1 for the period October 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

October 10, 2001

01-3062

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 40-41, was presented.

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

Agenda item 40: Zoning Case Z001-233(RB)

Agenda item 41: Zoning Case Z001-234(JA)

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.

The following individual addressed the city council regarding the consent zoning docket:

Ninette McDonald, 521 W. 8th St., regarding Zoning Case Z001-234(JA)

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3063

Item 40: Zoning Case Z001-233(RB)

Zoning Case Z001-233(RB), an application for and an ordinance granting a Specific Use Permit for an Electrical Substation Use and an application for and an ordinance terminating Specific Use Permit No. 220 for a Doctor's Clinic and Nursing Home on property presently zoned an MF-2(A) Multifamily District with Specific Use Permit No. 220 on Westmoreland Road, north of Ft. Worth Avenue.

(The city plan commission recommended approval for a permanent time period, subject to a site plan and conditions, and approval of the termination of Specific Use Permit No. 220.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24748 AND ORDINANCE NO 24749.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3064

Item 41: Zoning Case Z001-234(JA)

Zoning Case Z001-234(JA), a Landmark Commission authorized hearing to consider an Historic Overlay District for the Texas Theatre on property presently zoned Planned Development District No. 316, the Jefferson Boulevard Special Purpose District, located on Jefferson Boulevard, west of Zang Boulevard and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24750.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3065

Item 42: Public Hearing – Zoning Case Z001-230(WE)

A public hearing was called on zoning case Z001-230(WE), an application for and an ordinance granting an MF-2(A) Multifamily District on property presently zoned an NO(A) Neighborhood Office District on Dennis Road at North Bend.

(The city plan commission recommended approval. This item was considered at a public hearing on September 26, 2001, and was taken under advisement until October 10, 2001, with the public hearing open.)

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

Councilmember Oakley moved to postpone the application until the October 24, 2001 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3066

Item 43: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments, and authorize Council action 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

No one addressed the city council regarding the proposed use of a portion of Reverchon Park.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3067

01-3068

Item 44: Consideration of appointments to boards and commissions, and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

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 October 10, 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.

Councilmember Finkelman 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 Deputy Mayor Pro Tem Loza and unanimously adopted. (Rasansky absent)

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

01-3078 PAR PARK AND RECREATION BOARD

01-3079 YAC YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3069

Item 45: Authorize (1) a tangible personal property tax abatement agreement with Overhead Door Corporation for the purpose of granting a seven-year abatement of 75% of the taxes on new tangible personal property for the expansion of its operations in City of Dallas Enterprise Zone One located at 2170 French Settlement Road, Dallas, Texas 75212; and (2) a 100% development fee rebate to Overhead Door Corporation in an amount not to exceed \$25,000 - Revenue: First year tax revenue estimated at \$11,681; Seven-year tax revenue estimated at \$81,768 (Estimated revenue foregone for seven-year abatement \$245,306) - \$25,000 - Financing: Public/Private Partnership Funds

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3070

Item 46: An ordinance authorizing the issuance and sale of \$124,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2001; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$324,660 - Financing: Water Utilities Current Funds **(To be considered before 12:00 noon)**

Mayor Pro Tem Poss moved to pass the ordinance authorizing the issuance and sale of \$124,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds Series 2001, to Merrill Lynch & Co., the lowest and best bid.

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

Assigned ORDINANCE NO. 24746.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3071

Item 47: 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 November 14, 2001 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3072

Addendum addition 1: Authorize (1) an amendment to the 2001 City Calendar to cancel the November 28, 2001 meeting and (2) adoption of the 2002 City Calendar - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3073

Addendum addition 2: An ordinance amending Ordinance 24218 to extend the time to record a final replat affecting property adjacent to abandoned portions of Greenbriar Lane, Moline and Tilden Streets and sanitary sewer easements to October 12, 2003 - Revenue: \$1,500 plus the \$20 ordinance publication fee

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

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

Assigned ORDINANCE NO. 24751.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3074

Addendum addition 3: Authorize an increase in the contract with Texas Sterling Construction, Inc. for the construction of street paving, storm drainage, water and wastewater improvements on Locust Drive from Simpson Stuart Road to 370 feet north, mass grading of the area to build a training center west of Locust Drive, and mitigation for a channel south of the training center in the McCommas Bluff Eco-Business Park - \$390,423, from \$1,712,051 to \$2,102,474 - Financing: Public/Private Partnership Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3075

Addendum addition 4: **2001 Omnibus Appropriations Local Law Enforcement Block Grant**

- * Rescind Resolution #01-2434 approved on August 22, 2001, which authorized a public hearing to be held on September 26, 2001, for the 2001 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3076

Addendum addition 5: **2001 Omnibus Appropriations Local Law Enforcement Block Grant**

- * Authorize a public hearing to be held on October 24, 2001, to receive citizens' comments on the 2001 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 10, 2001

01-3077

Addendum addition 6: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees is available in the City Secretary's Office)

There was no appointment of members to the DART Board.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 10, 2001

EXHIBIT C