

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2001

01-3120

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, Lill

ABSENT: [0]

The meeting was called to order at 9:26 a.m.

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

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

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 3:34 p.m.

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Mayor

ATTEST:

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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 24, 2001

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2001

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3121

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: Roy Williams, 5881 Preston View Blvd.  
REPRESENTING: Forty Acres and A Mule  
SUBJECT: Cadillac Heights vs. 2012 Referendum

SPEAKER: Deborah Brown, 8039 Westover Dr.  
SUBJECT: Animal shelter

SPEAKER: Robert Smithback, 408 Park Ave.  
REPRESENTING: Weather Service Co.  
SUBJECT: Ft. Worth tornado/Farmers Branch/Carrollton storm/Homeless harassment

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
SUBJECT: Civil Liberty/Middle East

SPEAKER: Paul Cauduro, 18818 Tupelo Ln.  
REPRESENTING: Home Builders Association of Greater Dallas  
SUBJECT: Honor a City of Dallas employee's commitment to Dallas Housing

OPEN MICROPHONE – END OF MEETING:

None.

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Corruption/Merrill Lynch/KKK/EPA/RSR Lead Smelter

SPEAKER: Jewel Floyd, 3815 Myrtle St.  
SUBJECT: The discrimination of the code enforcement payment for my bricks

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3122

Item 1:           Approval of Minutes of the October 10, 2001 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3123

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-44 was presented for consideration.

The city secretary announced that the city manager had deleted agenda items 7, 25, 26 and 27 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that Councilmember Garcia had deferred consideration of consent agenda item 38 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Greyson requested that consent agenda items 6, 39 and 43 be considered as individual items. Mayor Kirk stated that consent agenda items 6, 39 and 43 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

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

Councilmember Oakley 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 Oakley's request.

Deputy Mayor Pro Te Loza moved to approve all items on the consent agenda with the exception of consent agenda items 7, 25, 26 and 27 which would be deleted, consent agenda item 38 which was deferred, and consent agenda items 6, 24, 32, 39, 42 and 43 would be considered later in the meeting.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3124

Item 2: Authorize a contract for the renovation and additions to the Police Auto Pound located at 1955 Vilbig Road - Vaughan Construction, Inc., lowest responsible bidder of eight - \$709,000 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3125

Item 3: Authorize a contract for the construction of erosion control improvements on Joe's Creek from Merrell Road to 300 feet north - Craig Olden, Inc., lowest responsible bidder of two - \$111,193 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3126

Item 4: Authorize an increase in the contract with Dean Electric, Inc., dba Dean Construction to provide miscellaneous items for the construction of the new softball complex at Kiest Park - \$164,685, from \$3,016,536 to \$3,181,221 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3127

Item 5: Authorize Supplemental Agreement No. 5 to the contract with Carter & Burgess, Inc. for Americans with Disabilities Act compliant ramps and upgrades to the heating, ventilation and air conditioning system in the terminal building at Dallas Love Field Airport - \$47,382, from \$3,898,132 to \$3,945,514 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3128

Item 6: Authorize (1) a Participation Agreement with Keller Springs Properties, Ltd. for the construction of a new traffic signal at the intersection of Glen Abbey Drive and Keller Springs Road, (2) the receipt and deposit of funds from Keller Springs Properties, Ltd. in an amount not to exceed \$20,000, and (3) an increase in appropriations in the amount of \$20,000 in the Capital Projects Reimbursement Fund - \$20,000 - Financing: Private Funds

Councilmember Greyson 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 Greyson's request.

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

Councilmember Greyson moved to defer the item until the November 14, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Miller and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3129

Item 7: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Johnny Cody, of approximately 1 acre of land improved with 2 warehouses and an office/warehouse located near the intersection of State Highway 310 and South Lamar Street for the Trinity River Corridor Project - \$165,000 - Financing: 1998 Bond Funds

Deleted on the addendum to the agenda..

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3130

Item 8: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 3 tracts of unimproved land containing approximately 21,355 square feet located near the intersection of Harry Hines Boulevard and IH635 for a 72" water main project - \$48,800 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3131

Item 9: Authorize a settlement in lieu of proceeding further in condemnation for the acquisition of 2 tracts of land containing a total of approximately 3,055 square feet from Sherwood Trust located on the east side of North Central Expressway, between Lovers Lane and University Boulevard - \$109,980 - Financing: 1995 Bond Funds (\$27,495) and Texas Department of Transportation Funds (\$82,485)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3132

Item 10: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 17 permanent waterline easements and 4 temporary construction easements containing a total of approximately 92 acres for the Lake Fork Water Pipeline Project located in Van Zandt and Hunt counties - \$269,184 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3133

Item 11: Authorize a one-year sublease, with four one-year renewal options, with the Federal Aviation Administration for approximately 400 square feet of land to house equipment for the instrument landing system at Redbird Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3134

Item 12: Authorize an amendment to extend the lease for an additional five-year term with Oak Cliff Country Club containing approximately 400 square feet of land improved with facilities and equipment for the instrument landing system at Redbird Airport - \$1 annually - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3135

Item 13: Authorize a ten-year lease agreement with Britton M. Wood and Maurice Wood, Jr., for approximately 12,921 square feet of land located at 3103 Hickory Street for vehicle parking and storage at the Central Service Center beginning November 1, 2001 through October 31, 2011 - \$2,400 annually - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3136

Item 14: Authorize a one-year lease renewal with Donaldson Properties, Ltd., for approximately 4,108 square feet of office space in the Lancaster-Kiest Shopping Center located at 3200 South Lancaster Road, Suite 625 for the continued use as a Women, Infants and Children clinic for the period November 1, 2001 through October 31, 2002 - Not to exceed \$25,800 annually - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3137

Item 15: Authorize a five-year lease agreement with the Shady Trail-Lombardy 2.425 Joint Venture for approximately 5,780 square feet of office space located at 10505 Shady Trail, to be used as a Women, Infants, and Children clinic for the period November 1, 2001 through October 31, 2006 - Not to exceed \$46,241 annually - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3138

Item 16: An ordinance abandoning a portion of Northwest Highway to International Acquisition II, Ltd., the abutting owner, containing approximately 8,986 square feet of land located near its intersection with Jupiter Road and authorizing the quitclaim - Revenue: \$68,743 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24752.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3139

Item 17: An ordinance abandoning a portion of Windmill Lane right-of-way to Ann Barnard, the abutting owner, containing approximately 904 square feet of land located near its intersection with Windmill Circle, and authorizing the quitclaim - Revenue: \$2,590 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24733.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3140

Item 18: Authorize the quitclaim of 22 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders - Revenue: \$155,556

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3141

Item 19: Authorize ten-year lease agreement with Central Parking System, Inc. to operate the city-owned parking lot at 1915-1917 Commerce Street beginning December 1, 2001 through November 30, 2011 - \$900 per month and 50% of revenue collected by Central Parking System, Inc. in excess of \$20,000 annually - Estimated Annual Revenue: \$10,800

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3142

Item 20: Authorize a thirty-six-month professional services contract with two twelve-month renewal options for actuarial analysis and benefits consulting with Hay Group, Inc. to support the City of Dallas Employee Benefits Program - Not to exceed \$250,000 per year for a total of \$750,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

The city secretary announced that Councilmember Garcia had deferred consideration of consent agenda item 20 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Garcia stated that she had notified the city secretary in writing that she had deferred consent agenda item 20 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as part of the consent agenda.

Mayor Kirk stated that consent agenda item 20 would be considered as a part of the consent agenda, there being no objection voiced to Councilmember Garcia's request.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3143

Item 21: Authorize the rejection of bids received for janitorial services at the Lakewest Riding Club and authorize the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3144

Item 22: Authorize settlement of a lawsuit, styled Roy Trujillo, Jr., et al. v. Steven G. O'Brien, et al., Civil Action No. 3:98-CV-1669-H - \$125,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3145

Item 23: Authorize release of the demolition liens to resolve the outstanding issues involved in the lawsuit, styled James v. City of Dallas, Civil Action No. 3:98-CV-0436-R, and direct the City Manager to discontinue any effort to enforce these demolition liens or to collect the debts resulting from the demolition liens, and to ensure that all City records adequately reflect the cancellation of the debts - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3146

Item 24: Authorize the fourth of five payments in accordance with the economic grant agreement with the Big 12 Conference for the marketing and promotion of the City of Dallas as a center for Big 12 Conference sporting events, conferences and meetings to increase tourism and enhance economic growth from January 1, 2002 through December 31, 2002 - Not to exceed \$250,000 - Financing: Public/Private Partnership Funds

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

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

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne.

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

Voting Yes: [14] Kirk, Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Greyson, Rasansky, Lill

Voting No: [1] Miller

Mayor Kirk declared the motion adopted.

[Councilmember Miller requested the following statement to be included in the minutes: "I am specifically troubled by the chronology of events according to staff leading up to today's vote because it is not an accurate depiction of what actually happened".]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3147

Item 25: **Authorize Amendments to Tax Abatement Agreements**

- \* Authorize (1) an amendment to Resolution No. 00-1915 authorizing a tax abatement agreement with Morning Park, Inc. and its successor, The Beck Group, to reflect the subsequent assignment of the property to USAA Real Estate Development, and (2) amendments to Resolution Nos. 01-0823 and 01-1024 authorizing tax abatement agreements with Panattoni Development Company, LLC, to reflect the subsequent assignment of the property to Unicom Investments, LLC - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3148

Item 26: **Authorize Amendments to Tax Abatement Agreements**

- \* Authorize (1) assignment of the tax abatement agreement with 3300 Hotel Property executed pursuant to Resolution No. 98-0328 to Mockingbird Partners, LP, (2) a correction of the construction cost in the tax abatement agreement with the Corral Group, Inc. executed pursuant to Resolution No. 00-0570 and (3) an amendment to the tax abatement agreement with Affiliated Computer Services, Inc. executed pursuant to Resolution No. 00-0278 extending the commencement date of the tax abatement period from January 1, 2001 to January 1, 2002 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3149

Item 27: **Authorize Amendments to Tax Abatement Agreements**

- \* Authorize (1) amendments to the tax abatement agreements entered into with Pinnacle Industrial Center Limited Partnership pursuant to Resolution No. 98-3664 for Buildings E, H and I changing the designation of Building E to Building C, Building H to Building G, and Building I to a planned building of a minimum 210,000 s.f. without letter designation, and (2) an amendment of the substantial completion date of the tax abatement agreement with Pinnacle Industrial Center, LP for Building I from December 31, 2001 to December 31, 2003 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3150

Item 28: Authorize a secured, no-interest, forgivable loan agreement with Legacy Counseling Center, Inc., to renovate and comply with the American with Disabilities Act, add three additional bedrooms, expand a laundry room and a bathroom, and other site improvements at the Legacy Founders Cottage Project, 828 South Tyler Street, Dallas, Dallas County, Texas to be completed during the period November 1, 2001 through October 31, 2002 (The agency is required to provide affordable housing or assistance to eligible persons with Acquired Immunodeficiency Syndrome or related diseases for a minimum of ten years) - Not to exceed \$101,000 - Financing: 1999-00 Housing Opportunities for Persons with AIDS Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3151

Item 29: Authorize a secured, no-interest, forgivable loan agreement with PWA Coalition of Dallas, Inc., a.k.a. AIDS Services of Dallas for the Americans with Disabilities Act and other site improvements at the Revlon Apartments, 720 North Lancaster Avenue and minor site improvements at the Ewing Center, 731 North Ewing Avenue, Dallas, Dallas County, Texas to be completed during the period November 1, 2001 through October 31, 2002 (The agency is required to provide affordable housing or assistance to eligible persons with Acquired Immunodeficiency Syndrome or related diseases for a minimum of ten years) - Not to exceed \$266,453 - Financing: 1999-00 Housing Opportunities for Persons with AIDS Funds (\$66,453) and 2000-01 Housing Opportunities for Persons with AIDS Funds (\$200,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3152

Item 30: Authorize a contract with Holmes Street Foundation, Inc. for the provision of residential substance abuse treatment services for adolescent males for the period October 1, 2001 through September 30, 2002 - Not to exceed \$76,560 - Financing: 2001-02 Community Development Grant Funds (\$65,000) and Current Funds (\$11,560)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3153

Item 31: Authorize a secured, no-interest, forgivable loan agreement with Johnnie's Manor, Inc., to construct a new group home located at 300 Creek Cove, Dallas, Dallas County, Texas, to be completed during the period November 1, 2001 through October 31, 2002 (The agency is required to provide affordable housing or assistance to eligible persons with Acquired Immunodeficiency Syndrome or related diseases for a minimum of ten years) - Not to exceed \$232,547 - Financing: 1999-00 Housing Opportunities for Persons with AIDS Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3154

Item 32: Authorize the adoption of the 2002 Employee and Retiree Health Benefits Plan, including the Flexible Benefits (Section 125) Plan; the Employee Medical Spending Plan; the Dependent Care Assistance Program and approval of the proposed coverage health premium rates - Financing: No cost consideration to the City

Councilmember Finkelman moved to suspend the rule to allow Karen Holland to speak instead of Rick Holland that had signed up to speak.

Motion seconded by Councilmember Greyson.

The following individual addressed the city council regarding the 2002 Employee and Retiree Health Benefits Plan:

Karen Holland, 3510 Yacht Club St., Arlington, TX

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3155

Item 33: Authorize a Supplemental Agreement to the contract with The United Way of Metropolitan Dallas, Inc. for the administrative, marketing, collection, disbursement, and record keeping services for the City of Dallas Charitable Campaign effective October 25, 2001 through July 31, 2003 to increase the current 10% fee to 15% (minimum \$60,000) annually of the funds collected from the City's annual employee charitable contribution fund drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3156

Item 34: Authorize (1) the acceptance of an Economic Development Initiative-Special Project grant agreement with the U.S. Department of Housing and Urban Development, (2) execution of grant agreement, and (3) a contract with T.R. Hoover Community Development Corporation (\$100,000), Pleasant Wood/Pleasant Grove Community Development Corporation (\$50,000), and Southfair Community Development Corporation (\$100,000) for the provision of affordable housing, land acquisition and efforts to revitalize Southern Dallas neighborhoods for the period of November 1, 2001 through November 1, 2006 - Total not to exceed \$250,000 - Financing: Economic Development Initiative Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3157

Item 35: Authorize an extension of the timeframe for continuation of the Ideal Homebuyer Assistance Program from December 31, 2001 to December 31, 2003 - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3158

Item 36: Authorize amendment of a Home Repair loan to permit the reconstruction on site of the home at 2612 Kenesaw in accordance with the Home Repair Program Statement requirements - Not to exceed \$50,000 - Financing: 2000-01 Urban Development Action Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3159

Item 37: Authorize a contract with the Dallas Museum of Natural History Association for the provision of services to the City through the Cultural Organization Program - \$491,491 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3160

Item 38: Authorize contracts with cultural organizations for the provision of services to the City through the Leadership Exchange and Advancement Program - Not to exceed \$100,000 - Financing: Current Funds (\$50,000), Arts Endowment Funds (\$10,000) and Texas Commission on the Arts Grant Funds (\$40,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3161

Item 39: Authorize contracts with the cultural organizations for the provision of services to the City through the Cultural Organization Program - Not to exceed \$4,152,621 - Financing: Current Funds (\$4,079,295) and Texas Commission on the Arts Grant Funds (\$73,326)

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

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

Councilmember Greyson moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3162

Item 40: Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's control -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3163

Item 41: Authorize a thirty-six-month contract with two one-year renewal options with Citistreet to provide voluntary employee benefits to employees and, to some extent, retirees effective January 1, 2002 through December 31, 2004 to be funded by employee premiums through payroll deductions - Financing: No cost consideration to the City

The city secretary announced that Councilmember Garcia had deferred consideration of consent agenda item 41 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council rules of Procedure.

After the Notice of Deferred Items had been posted, Councilmember Garcia stated that she had notified the city secretary in writing that she had deferred consent agenda item 41 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as part of the consent agenda.

Mayor Kirk stated that consent agenda item 41 would be considered as part of the consent agenda, there being no objection voiced to Councilmember Garcia's request.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3164

Item 42: Authorize adoption of the Stemmons/Design District Land Use Plan and approval of the recommendations contained therein as a guide in the future development in the area generally bounded by Stemmons Freeway to the north and east, Continental Avenue to the south, the Trinity River levee to the southwest, and Wycliff Avenue to the west - Financing: No cost consideration to the City

Councilmember Oakley 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 Oakley's request.

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

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

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3165

Item 43: Authorize a resolution opposing the Texas Department of Transportation's new Frontage Road Policy - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 43 be considered as an individual item. Mayor Kirk stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 43 was brought up for consideration.

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

“To change the November meeting to the December 13th meeting”

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3166

Item 44: Authorize a one-year microfilm services contract with the United States National Archives and Records Administration - Fort Worth Branch to microfilm essential and permanent city records in accordance with permanent preservation standards established by state law - Not to exceed \$69,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3167

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 45-49, was presented.

Agenda items 47 and 49 were removed from the consent zoning docket, to be considered as individual hearings.

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

Agenda item 45: Zoning Case Z001-237(RB)	
Agenda item 46: Zoning Case Z001-238(FD)	
<del>Agenda item 47: Zoning Case Z001-242(JC)</del>	<b>[Considered individually]</b>
Agenda item 48: Zoning Case Z001-245(JC)	
<del>Agenda item 49: Zoning Case Z001-246(JC)</del>	<b>[Considered individually]</b>

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:

Fatino Basye, 6900 Skillman St., regarding Zoning Case Z001-245(JC)

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

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3168

Item 45: Zoning Case Z001-237(RB)

Zoning Case Z001-237(RB), an application for and an ordinance granting an amendment to the conditions and the enlarged partial development plan component of the development plan for Planned Development District No. 512 for a Public School and R-1/2 acre (A) Single Family District Uses on property located on the south corner of Seagoville Road and Woody Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24754.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3169

Item 46: Zoning Case Z001-238(FD)

Zoning Case Z001-238(FD), an application for and an ordinance granting an amendment to Planned Development District No. 110 for a Home for the Aged, Housing for the Elderly and Ancillary Uses to allow for a Fire Station Use on the southwest corner of Ruidosa Drive and Shiloh Road.

(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. 24755.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3170

Item 47: Zoning Case Z001-242(JC)

Zoning Case Z001-242(JC), an application for and an ordinance granting an amendment to and the expansion of Planned Development District No. 349 for an Art Gallery, Office, Surface Parking, and Warehouse Uses on property presently zoned a D(A) Duplex District located on the southwest side of Augusta Street, southeast of Columbia Avenue.

(The city plan commission recommended approval subject to a new development plan for Tract 3.)

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

Appearing in favor of the city plan commission recommendation:

Roger Albright, 3301 Elm St., representing the applicant

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 Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3171

Item 48: Zoning Case Z001-245(JC)

Zoning Case Z001-245(JC), an application for and an ordinance granting an R-1 acre (A) Single Family District on property presently zoned an A(A) Agricultural District located on Camp Wisdom Road, west of Sarah Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24756.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3172

Item 49: Zoning Case

Zoning Case Z246(JC), an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment to be used as a private-club bar and a Commercial amusement (inside) use for a dance hall on property presently zoned an CR Community Retail District on the east side of Ferguson Road, south of Gus Thomasson Road.

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

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

Mayor Pro Tem Poss 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

October 24, 2001

01-3173

Item 50: Public Hearing – Zoning Case Z001-158(FD)

A public hearing was called on zoning case Z001-158(FD), an application for and an ordinance granting an amendment to the development plan and conditions of Planned Development District No. 385 for a Private school, Convent or Monastery, and Single family dwellings to expand the PD in order to develop an athletic field and related accessory uses on the southwest corner of Inwood Road and Walnut Hill Lane.

(The city plan commission recommended approval subject to an amended development plan and conditions.)

Appearing in opposition to the city plan commission recommendation:

Michael Coker, 6350 LBJ Frwy., representing Neighborhood Preservation Coalition  
Bill Hines, 10065 Surrey Oaks Dr.  
Mary Ellen, Bluntzer, 6415 Deloache Ave., representing Dallas Historical Tree Coalition  
David McGersky, 10014 Surrey Oak Dr.  
Michael Jung, 4300 Bank of America Plaza

Appearing in favor of the city plan commission recommendation:

Kirk Williams, 5400 Renaissance Tower  
Margaret Ann Moser, 4900 Walnut Hill Ln., representing Ursula Academy  
Morgan Fields, 6016 Twin Coves  
Roger Staubach, 6912 Eldelweiss  
Reagan Horchow-Fearon, 9785 Audubon Pl.

Councilmember Rasansky moved to close the public hearing, overrule the recommendation of the city plan commission and deny the application.

Motion seconded by Councilmember Walne.

Mayor Pro Tem Poss moved to substitute for Councilmember Rasansky's motion to:

1. Replace condition (m)(1) to read: "Except for security and landscape lightning, no lighting may be installed or maintained in Area A."
2. Replace the development/landscape plan for Area A submitted to the city plan commission with the development/landscape plan for Area A submitted to planning staff today, that reflects the changes made in this motion, and shows a minimum eight foot high fence, along the inside of the existing hedge, along Walnut Hill Lane and Inwood Road.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

01-3173

Page 2



3. Change condition (g)(1)(v) adding the following to the end of the existing sentence: “Within two years from the date of passage of this ordinance.”

Motion seconded by Councilmember Fantroy.

Later in the meeting, Mayor Pro Tem Poss withdrew her motion.

Mayor Kirk then called the vote on the original motion:

Voting Yes:            [13]    Loza, Garcia, Miller, Thornton Reese, Hill, Oakley, Chaney,  
Fantroy, Walne, Finkelman, Greyson, Rasansky, Lill

Voting No:            [2]      Kirk, Poss

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3174

Item 51: Public Hearing – Zoning Case Z001-198(JC)

A public hearing was called on zoning case Z001-198(JC), an application for and an ordinance granting a CH Clustered Housing District on property presently zoned an R-7.5(A) Single Family District located on the northeast corner of Dowdy Ferry Road and Fireside Drive.

(The city plan commission recommended approval.)

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

Councilmember Fantroy 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. 24757.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3175

Item 52: 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 October 10, 2001 was taken under advisement until October 24, 2001, with the public hearing open.)

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

Appearing in favor of the city plan commission recommendation:

Roger Albright, 3301 Elm St., representing the applicant

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

Motion seconded by Councilmember Fantroy and unanimously adopted.

Assigned ORDINANCE NO. 24758.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3176

Item 53: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on an amendment to the Dallas Development Code to revise the regulations and provide a new use classification for truck stops and to revise the definitions for outside sales, motor vehicle fueling stations and swap and buy shops.

(The city plan commission recommended approval of the staff recommendation for a new definition for a truck stop use, amendments to the definition of a motor vehicle fueling station and denial of staff recommendation to revise the definitions for outside sales and swap and buy shops.)

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

Appearing in favor of the city plan commission recommendation:

Nancy Moffett, 3114 Mapleleaf Ln.

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

“Regulations for a new use of “truck stops”, and to not follow the city plan commission recommendation of denial for, but instead to follow the staff recommendation of a revision of the definitions of outside sales and swap or buy shop to include flea markets and bazaars respectively and pass the ordinance.”

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

Assigned ORDINANCE NO. 24759.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3177

Item 54: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on an amendment to the Dallas Development Code to create regulations for a new Special Provision Sign District to be called Southside Entertainment District with general boundaries of I-30, the DART Rail Line, and the Southern Pacific Railroad.

(The city plan commission recommended approval subject to revised boundaries and conditions.

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

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

William Hopkins, 2011 Leath St.

Appearing in favor of the city plan commission recommendation:

Chuck Russell, 6390 LBJ Frwy., representing Matthews Southwest

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

Motion seconded by Councilmember Walne and unanimously adopted. (Kirk, Poss absent when vote take)

Assigned ORDINANCE NO. 24760.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3178

BENEFIT ASSESSMENT HEARING

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

- Item 55: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements
- Item 56: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements
- Item 57: \* Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements - Gibson & Associates, Inc., lowest responsible bidder of six - \$804,748 - Financing: 1995 Bond Funds (\$497,222), Water Utilities Capital Construction Funds (\$307,526)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements on Riverside Road from Bonnie View Road east 1,100 feet to the alley.

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

Councilmember Fantroy moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

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

Assigned ORDINANCE NO. 24761.

[Councilmember Fantroy requested the following questions to be included in the minutes: "Will any houses be torn down to widen the street? Will it interfere with any houses while widening the street? Will anyone that is living on that street be replaced?"]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3179

Miscellaneous Hearing **2001 Omnibus Appropriations Local Law Enforcement Block Grant**

- Item 58: \* A public hearing to receive citizens' comments on the 2001 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City
- Item 59: \* Authorize acceptance of the 2001 Omnibus Appropriations Local Law Enforcement Block Grant in the amount of \$2,917,101 to provide law enforcement activities and equipment from the U. S. Department of Justice, Bureau of Justice Assistance for a twenty-four-month period, a local match in the amount of \$324,122, and execution of the grant agreement - \$3,241,223 - Financing: 2001 Omnibus Appropriations Local Law Enforcement Block Grant Funds (\$2,917,101) and Current Funds (\$324,122)

The following individuals addressed the city council regarding the 2001 Omnibus Appropriations Local Law Enforcement Block Grant:

Debra Kelly, 8409 Pickwick Ln.  
Jewel Floyd, 3815 Myrtle St.  
William Hopkins, 2011 Leath St.  
Marilyn Fowler, 1204 Joshua Tree Dr.

Councilmember Walne moved to close the public hearing and authorize the acceptance of the 2001 Omnibus Appropriations Local Law Enforcement Block Grant.

Motion seconded by Councilmember Chaney and unanimously adopted. (Kirk, Poss, Finkelman absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3180

01-3181

Item 60: 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 24, 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 moved to appoint Dianne A. Curry, chair, of the Park and Recreation Board, Dolores Barzune, chair, of the Cultural Affairs Commission, Marshall Doke, chair, of the Judicial Nominating Commission, June Leftwich, chair, of the Municipal Library Board and Walter Lewis Price, chair, of the Community Development Commission.

Councilmember Greyson 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 Mayor Pro Tem Poss and unanimously adopted.

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

**01-3194 CAC CULTURAL AFFAIRS COMMISSION**  
**01-3195 CDC COMMUNITY DEVELOPMENT COMMISSION**  
**01-3196 CED CONSOLIDATED ECONOMIC DEVELOPMENT BOARD**  
**01-3197 CPC CITY PLAN AND ZONING COMMISSION**  
**01-3198 MLB MUNICIPAL LIBRARY BOARD**  
**01-3199 MLK MARTIN LUTHER KING JR COMMUNITY CENTER BOARD**  
**01-3200 PAR PARK AND RECREATION BOARD**  
**01-3201 PLA PERMIT AND LICENSE APPEAL BOARD**  
**01-3202 SAC SENIOR AFFAIRS COMMISSION**  
**01-3203 SDD SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD**  
**01-3204 Board Officers**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001



01-3182

Item 61: 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3183

Item 62: Authorize a moratorium on the acceptance of applications for building permits and certificates of occupancy for extended stay hotels citywide until January 9, 2002, and directing the City Manager and the City Plan Commission to perform appropriate analysis, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the City Council regarding appropriate location of, and regulations governing, extended stay hotels in the City of Dallas - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3184

Item 63: An ordinance amending Ordinance 24684 ordering the November 6, 2001 special election in order to change some election-day and early voting locations - Financing:  
No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

Assigned ORDINANCE NO. 24762.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3185

Addendum addition 1: An ordinance amending Chapter 13 of the Dallas City Code to grant the municipal court of record concurrent jurisdiction with a district court and a county court at law over the enforcement of health, safety, and nuisance abatement ordinances within the city's territorial limits and on city-owned property located in the city's extraterritorial jurisdiction - Financing: No cost consideration to the City

Councilmember Lill moved to pass the ordinance.

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

Assigned ORDINANCE NO. 24763.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3186

Addendum addition 2: Authorize an increase in the contract with Gibson & Associates, Inc. for additional street paving improvements on Chalk Hill Road from IH 30 to 900 feet south of IH 30, Phase I - \$75,000, from \$668,883 to \$743,883 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3187

Addendum addition 3: Authorize Supplemental Agreement No. 1 to the contract with Thos. S. Byrne, Inc. for construction management (Phase II construction) for the Latino Cultural Center - \$7,021,122, from \$75,000 to \$7,096,122 - Financing: 1995 Bond Funds (\$1,821,812), 1998 Bond Funds (\$450,259), Capital Construction Funds (\$1,364,051), Private Funds (\$3,385,000)

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3188

Addendum addition 4: Authorize the City Manager to initiate the process of selection for a design/build project delivery method for the construction of a training center facility to be located in the McCommas Bluff Eco-Business Park at 5300 Simpson Stuart Road - Financing: No cost consideration to the City

Councilmember Hill moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3189

Addendum addition 5: Authorize (1) interim financing in the amount of \$128,187; 2) a (2) transfer of \$128,187 from Municipal Radio Current Funds to 1998 Bond Funds Animal Control Facilities (to be reimbursed with interest from 1998 Bond Funds Animal Control Facilities Bond Funds to be sold on November 14, 2001); and (3) the deposit of a Special Commissioners' Award for acquisition from the Baptist Foundation of Texas of approximately 6.3 acres of unimproved land located at the intersection of Westmoreland Road and Interstate Highway 30, needed for the Oak Cliff Animal Shelter replacement site - Not to exceed \$473,494 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3190

Addendum addition 6: A resolution reappointing the City Attorney for an additional two-year term, beginning October 24, 2001, and authorizing a second amendment to the City Attorney's contract concerning termination and severance pay provisions - Financing: No cost consideration to the City

Councilmember Hill moved to approve the resolution.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3191

Addendum addition 7: Authorize payment of an Agreed Order Granting Plaintiffs' Motion for Attorney's Fees in a lawsuit, styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H - \$203,575 - Financing: Current 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

October 24, 2001

01-3192

Addendum addition 8: Approval of Minutes of the September 26, 2001 City Council Meeting

The city secretary requested that addendum addition be taken out of order to approve the September 26, 2001 minutes.

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

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

October 24, 2001

01-3193

NOTICE OF DEFERRED OR DELETED ITEMS

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2001

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 24, 2001

01-3120

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, Lill

ABSENT: [0]

**CORRECTION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3173

Item 50: Public Hearing – Zoning Case Z001-158(FD)

A public hearing was called on zoning case Z001-158(FD), an application for and an ordinance granting an amendment to the development plan and conditions of Planned Development District No. 385 for a Private school, Convent or Monastery, and Single family dwellings to expand the PD in order to develop an athletic field and related accessory uses on the southwest corner of Inwood Road and Walnut Hill Lane.

(The city plan commission recommended approval subject to an amended development plan and conditions.)

Appearing in opposition to the city plan commission recommendation:

Michael Coker, 6350 LBJ Frwy., representing Neighborhood Preservation Coalition  
Bill Hines, 10065 Surrey Oaks Dr.  
Mary Ellen, Bluntzer, 6415 Deloache Ave., representing Dallas Historical Tree Coalition  
David McGersky, 10014 Surrey Oak Dr.  
Michael Jung, 4300 Bank of America Plaza

Appearing in favor of the city plan commission recommendation:

Kirk Williams, 5400 Renaissance Tower  
Margaret Ann Moser, 4900 Walnut Hill Ln., representing Ursula Academy  
Morgan Fields, 6016 Twin Coves  
Roger Staubach, 6912 Eldelweiss  
~~Reagan Horchel Ferrun~~, **Reagan Horchow-Fearon** 9785 Audubon Pl.

Councilmember Rasansky moved to close the public hearing, accept the recommendation of the city plan commission and deny the application.

Motion seconded by Councilmember Walne.

Mayor Pro Tem Poss moved to substitute for Councilmember Rasansky's motion to:

1. Replace condition (m)(1) to read: "Except for security and landscape lightning, no lighting may be installed or maintained in Area A."
2. Replace the development/landscape plan for Area A submitted to the city plan commission with the development/landscape plan for Area A submitted to planning staff today, that reflects the changes made in this motion, and shows a minimum eight foot high fence, along the inside of the existing hedge, along Walnut Hill Lane and Inwood Road.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 24, 2001

01-3173

Item 50: Public Hearing – Zoning Case Z001-158(FD)

A public hearing was called on zoning case Z001-158(FD), an application for and an ordinance granting an amendment to the development plan and conditions of Planned Development District No. 385 for a Private school, Convent or Monastery, and Single family dwellings to expand the PD in order to develop an athletic field and related accessory uses on the southwest corner of Inwood Road and Walnut Hill Lane.

(The city plan commission recommended approval subject to an amended development plan and conditions.)

Appearing in opposition to the city plan commission recommendation:

Michael Coker, 6350 LBJ Frwy., representing Neighborhood Preservation Coalition  
Bill Hines, 10065 Surrey Oaks Dr.  
Mary Ellen, Bluntzer, 6415 Deloache Ave., representing Dallas Historical Tree Coalition  
David McGersky, 10014 Surrey Oak Dr.  
Michael Jung, 4300 Bank of America Plaza

Appearing in favor of the city plan commission recommendation:

Kirk Williams, 5400 Renaissance Tower  
Margaret Ann Moser, 4900 Walnut Hill Ln., representing Ursula Academy  
Morgan Fields, 6016 Twin Coves  
Roger Staubach, 6912 Eldelweiss  
Reagan Horchow-Fearon, 9785 Audubon Pl.

Councilmember Rasansky moved to close the public hearing, ~~accept~~ overrule the recommendation of the city plan commission and deny the application.

Motion seconded by Councilmember Walne.

Mayor Pro Tem Poss moved to substitute for Councilmember Rasansky's motion to:

1. Replace condition (m)(1) to read: "Except for security and landscape lightning, no lighting may be installed or maintained in Area A."
2. Replace the development/landscape plan for Area A submitted to the city plan commission with the development/landscape plan for Area A submitted to planning staff today, that reflects the changes made in this motion, and shows a minimum eight foot high fence, along the inside of the existing hedge, along Walnut Hill Lane and Inwood Road.