

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2002

02-0300

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
ACTING MAYOR MARY POSS, PRESIDING

PRESENT: [13] Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney,
Fantroy, Walne, Finkelman, Greyson, Rasansky, Lill

ABSENT: [0]

VACANT: [2] Place 15, Place 3

The meeting was called to order at 9:17 a.m.

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

Acting Mayor Poss 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 2:13 p.m.

Acting Mayor

ATTEST:

City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2002

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2002

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0301

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: Tom Gibbons, 7947 Cliffbrook Dr. **NO SHOW**
SUBJECT: City Council Election

SPEAKER: Harold Cox, 7415 Ridgewick Dr.
SUBJECT: Illegal Dump on S. Loop 12, Jim Miller Rd., and Deep Wood

SPEAKER: Miriam Rodriquez, 622 Ogden Ave. **NO SHOW**
SUBJECT: Property at 925 W. Jefferson Blvd.

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Thomas Collins, 2739 Morning Ave. **CANCELED**
SUBJECT: Code Compliance District 6

SPEAKER: Jimmy Lee, 2915 Southland St. **NO SHOW**
REPRESENTING: Relief In The Community, Inc.
SUBJECT: A New Mayor Doesn't Make Any Difference in South Dallas

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

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

SPEAKER: Donna Lackey, 405 N. Winnetka Ave.
SUBJECT: City Services

[SPEAKER LEFT WRITTEN SPEECH FOR COUNCIL'S REVIEW]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0302

Item 1: Approval of Minutes of the January 9, 2002.

The city secretary stated that the minutes of the voting agenda meeting of January 9, 2002 were not yet complete and would be distributed to the city council for approval at a future meeting.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

01-0303

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-49 was presented for consideration.

Councilmember Rasansky requested that consent agenda items 3, 4, 5, 6, and 46 be considered as individual items. Acting Mayor Poss stated that consent agenda item 3, 4, 5, 6, and 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Finkelman requested that consent agenda item 11 be considered as an individual item. Acting Mayor Poss stated that consent agenda 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Greyson requested that consent agenda item 26 and 43 be considered as individual items. Acting Mayor Poss stated that consent agenda 26 and 43 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

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

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

Councilmember Walne moved to approve all items on the consent agenda with the exception of consent agenda items 3, 4, 5, 6, 11, 26, 30, 39, 43 and 46 would be considered later in the meeting.

Motion seconded by Councilmember Lill and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0304

Item 2: Authorize a professional services contract with F&S Partners, Inc. to provide bidding and construction administration services at Park in the Woods Recreation Center - \$61,200 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0305

Item 3: Authorize a professional services contract with Huitt-Zollars, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in an area bounded by Stemmons Freeway, R.L. Thornton Freeway, Lyndon B. Johnson Freeway, Walton Walker Boulevard, Town East Boulevard, Masters Drive, Ledbetter Drive East and Loop 12 - \$533,190 - Financing: Water Utilities Capital Improvement Funds

Councilmember Rasansky requested that consent agenda item 3 be considered as an individual item. Acting Mayor Poss stated that consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

After discussion, Acting Mayor Poss called the vote on the motion:

Voting Yes:	[11]	Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Lill
Voting No:	[1]	Rasansky
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0306

Item 4: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in an area bounded by Lyndon B. Johnson Freeway, Walton Walker Boulevard, Stemmons Freeway, and R.L. Thornton Freeway - \$519,535 - Financing: Water Utilities Capital Improvement Funds

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

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

Councilmember Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

After discussion, Acting Mayor Poss called the vote on the motion:

Voting Yes:	[11]	Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Lill
Voting No:	[1]	Rasansky
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0307

Item 5: Authorize professional services contract with Carson-Salcedo-McWilliams, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in an area bounded by Dallas North Tollway, R. L. Thornton Freeway, Ledbetter Drive East, and Lyndon B. Johnson Freeway - \$522,000 - Financing: Water Utilities Capital Improvement Funds

Councilmember Rasansky requested that consent agenda item 5 be considered as an individual item. Acting Mayor Poss stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 5 was brought up for consideration.

Councilmember Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

After discussion, Acting Mayor Poss called the vote on the motion:

Voting Yes:	[11]	Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Lill
Voting No:	[1]	Rasansky
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0308

Item 6: Authorize a professional services contract with Arredondo, Zepeda & Brunz, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in an area bounded by R. L. Thornton Freeway, Dallas North Tollway, Lyndon B. Johnson Freeway and Walton Walker Boulevard - \$529,956 - Financing: Water Utilities Capital Improvement Funds

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

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

Councilmember Garcia moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

After discussion, Acting Mayor Poss called the vote on the motion:

Voting Yes:	[12]	Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Greyson, Lill
Voting No:	[1]	Rasansky
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0309

Item 7: Authorize a contract for site development including concrete trail, site furnishings, playground renovation, new tree irrigation and pedestrian lighting at Gateway Park - Parks for Play, Inc., lowest responsible bidder of seven - \$306,995 - Financing: 1998-99 Community Development Grant Funds (\$212,475) and 2001-02 Community Development Grant Funds (\$94,520)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0310

Item 8: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, water and wastewater adjustments for the Sidewalk Replacement Program Group 02-02 (list attached) - New Star Grading & Paving, lowest responsible bidder of five - \$172,105 - Financing: 1998 Bond Funds (\$158,105), Water Utilities Capital Construction Funds (\$14,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0311

Item 9: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Barnes Bridge Road from Garland Road to Shiloh Road - Tiseo Paving Company, lowest responsible bidder of seven - \$2,653,427 - Financing: 1998 Bond Funds (\$2,259,447), Water Utilities Capital Improvement Funds (\$361,480), Water Utilities Capital Construction Funds (\$32,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0312

Item 10: Authorize an increase in the contract with Tiseo Paving Company for the construction of street improvements on Ravinia Drive from Clarendon Drive to Catherine Street - \$102,460, from \$1,409,028 to \$1,511,488 - Financing: Water Utilities Bond Funds (\$46,367), Water Utilities Capital Construction Funds (\$56,093)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0313

Item 11: Authorize a public hearing to be held on February 13, 2002 to receive citizens' comments on a proposed conveyance of approximately six acres of land located at 12600 Audelia Road on property known as Audelia Park in exchange for certain improvements to the remainder of Audelia Park and Richardson Independent School District will either (1) convey approximately six acres of land located near or adjacent to Cottonwood Park or (2) make approximately \$800,000 cash payment - Revenue: \$800,000

Councilmember Finkelman requested that consent agenda item 11 be considered as an individual item. Acting Mayor Poss stated that consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, agenda item 11 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0314

Item 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Trustees of Goodwill Baptist Church, of approximately 11,521 square feet of unimproved land located at the intersection of Elam Road and Bissonet Avenue for the Bissonet Avenue Street Improvement Project - \$5,800 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0315

Item 13: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 4 tracts containing a total of approximately 21,785 square feet of land improved with 4 single family dwellings located near the intersection of Dawson and Baylor Streets for the Central Service Center Project - \$142,000 plus eligible relocation benefits, not to exceed \$22,500 for each owner-occupied property and \$5,250 for each tenant-occupied property, plus moving expenses - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0316

Item 14: An ordinance abandoning a portion of Crouch Road to Runyon Springs, L.P., the abutting owner, containing not less than 27,199 square feet of land located near the intersection of Troyglen and Duet Drives, providing for the dedication of approximately 27,199 square feet of land needed for street right-of-way, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24821.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0317

Item 15: An ordinance abandoning 2 utility easements to Walnut Hill I-35 Enterprise, L.L.C., the abutting owner, containing a total of approximately 4,550 square feet of land located near the intersection of Walnut Hill Lane and Composite Drive, providing for the dedication of a new easement and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24822.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0318

Item 16: Authorize (1) acceptance of 5 vacant lots at 1301, 1305 and 1309 Lenway Street, 3527 Parnell Street and 3513 Holmes Street originally quitclaimed to Dallas Area Habitat for Humanity pursuant to the Land Assembly Program, (2) termination of the existing deed restrictions, (3) declaration of 5 lots unwanted and unneeded and authorize the quitclaim of 3513 Holmes Street and 1309 Lenway Street to St. Philip's Neighborhood Development Corporation through the Land Transfer Program and (4) advertisement for sale by sealed bids with a minimum bid of \$300 per lot for 1301 and 1305 Lenway Street and 3527 Parnell Street - Revenue: \$2,199

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0319

Item 17: An ordinance granting a private license to Stone Place Mall Investors, Ltd. for the use of approximately 1,920 square feet of land to install and maintain landscaping, steps, handicap access ramps, 2 sidewalk cafes and 2 awnings within portions of Stone Place and Main Street rights-of-way located near its intersection with Elm Street - Revenue: \$7,498 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24823.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0320

- Item 18: Authorize an increase in the contract with BMC Software Distribution, Inc., for the purchase of additional software modules with a twelve-month warranty and twenty-four months maintenance with an option to extend the software maintenance agreement for an additional twenty-four months - Not to exceed \$180,000, from \$2,506,648 to \$2,686,648 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0321

Item 19: Authorize the purchase and installation of a replacement gymnasium floor at Lake Highlands North Recreation Center from the lowest responsible bidder of two - Z Floor Company, LTD. - Not to exceed \$70,222 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0322

Item 20: Authorize a twenty-four-month service contract with one twelve-month renewal option for title and loan closing services with All American Title Services, Inc., Craig Watson dba Fidelity National Title Agency, and Luis A. Galindo dba The Acceso Branch of North American Title Company to support the City of Dallas' Home Repair Program - Not to exceed \$100,000 per year for a total of \$200,000 - Financing: 2000-01 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0323

Item 21: Authorize the purchase of two catch basin cleaners from Underground, Inc. through the Interlocal Agreement with Houston - Galveston Area Council of Governments - Not to exceed \$155,835 - 2001 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0324

Item 22: Authorize a thirty-six-month price agreement for disposable paper products with the lowest responsible bidders of five - Jan Pak-Lind Paper Company, Pollock Paper Distributors, and Sunbeam Foods, Inc. - Not to exceed \$1,250,854 - Financing: Current Funds (\$661,913), Water Utilities Current Funds (\$371,196), Convention and Event Services Current Funds (\$214,249), WRR Current Funds (\$1,850), Aviation Current Funds (\$1,646)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0325

Item 23: Authorize a thirty-six-month price agreement for Kawasaki motorcycle parts and labor with the only bidder - S. D. W. Ent., Inc. dba Kawasaki City - Not to exceed \$146,400 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0326

Item 24: Authorize a thirty-six-month price agreement for valves, fittings, fire hydrants, and fire hydrant parts with the lowest responsible bidders of eleven - Clow Valve Company, Tyco Valves & Company, Mueller Company, U.S.F. Fabrication, Inc., M & H Valve Company, Kennedy Valve, Hydrflo, Inc. - Not to exceed \$4,968,423 - Financing: Water Utilities Current Funds (\$3,354,281), Water Utilities Capital Construction Funds (\$1,614,142)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0327

Item 25: Authorize Supplemental Agreement No. 1 to the services contract with Taylormark Consulting for upgrading the MacIntosh servers and installing a new MacIntosh operating system on the City Attorney's Office computer network - Not to exceed \$4,000, from \$15,000 to \$19,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0328

Item 26: Authorize a replacement housing payment for homeowners, Jack D. Stubbs, Jr. and Margaret A. Stubbs, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$22,500 - Financing: Current Funds

Councilmember Greyson requested that consent agenda item 26 be considered as an individual item. Acting Mayor Poss stated that consent agenda item 26 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 26 was brought up for consideration.

Councilmember Lill moved to refer the item back to the Housing Committee to review Chapter 39 of the Dallas City Code and bring back to the council as soon as practicable.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0329

Item 27: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program (now known as the Home Repair Program) for homeowner, David R. Sanders, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0330

Item 28: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program (now known as the Home Repair Program) for homeowner, Lavell Davis, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: 1998-99 Community Development Grant Funds (\$23,232) and 2001-02 Community Development Grant Funds (\$26,768)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0331

Item 29: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program (now known as the Home Repair Program) for homeowner, Mary Frances Thomas, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0332

Item 30: Authorize a public hearing to be held on February 13, 2002 to receive citizens' comments concerning the creation of City of Dallas Reinvestment Zone No. 59 located at 8721 Forney Road in Southeast Dallas in order to consider (1) an ordinance creating City of Dallas Reinvestment Zone No. 59 on February 13, 2002; and (2) a real property tax abatement agreement and development fee rebate with East Dallas BW, Ltd. (Lessor) and Mrs. Baird's Bakeries, Inc. (Lessee) on February 13, 2002 - Financing: No cost consideration to the City

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

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Chaney.

After discussion, Acting Mayor Poss called the vote on the motion:

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

Voting No: [0]

Vacant: [2] Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0333

Item 31: Authorize a real property tax abatement agreement with Building No.1, Mountain Creek, L.P. for the purpose of granting a ten-year abatement of 90 percent of the taxes on added value to the real property for its new building located within Enterprise Zone Two on vacant land at Mountain Creek Parkway in Mountain Creek Business Park - Revenue: First-year tax revenue estimated at \$2,804; Ten-year revenue estimated at \$28,040; (Estimated revenue foregone for ten-year property abatement \$252,315) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0334

Item 32: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0335

Item 33: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) submitted by the Cityplace TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0336

Item 34: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) submitted by Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0337

Item 35: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) submitted by Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0338

Item 36: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0339

Item 37: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0340

Item 38: **Tax Increment Financing Annual Reports**

- * A resolution accepting the FY 2000-01 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas (Sports Arena TIF District) submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0341

Item 39: Authorize a contract with the University of Texas Southwestern Medical Center at Dallas for the continuation of a Minority AIDS Education Program for the period January 1, 2002 through December 31, 2002 - Not to exceed \$137,500 - Financing: 2001-02 Housing Opportunities for Persons With AIDS Grant Funds (\$79,000) and Current Funds (\$58,500)

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

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0342

Item 40: Authorize an Interlocal Agreement with Dallas County to provide assistance for persons eligible for services under the Housing Opportunities for Persons with AIDS contract for the period of January 1, 2002 through September 30, 2004 - Not to exceed \$2,544,760 - Financing: 2001-02 Housing Opportunities for Persons With AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0343

Item 41: Authorize a secured, no interest forgivable loan agreement with Dallas Inter-Tribal Center, Inc. for the renovation of a facility located at 209 East Jefferson Blvd., Dallas, Dallas County, Texas, for the period of February 1, 2002 through January 31, 2003 (Agencies that renovate properties with Community Development Grant Funds are required to provide a public service to eligible persons for a minimum of five years upon completion of renovation) - Not to exceed \$32,431 - Financing: 2001-02 Community Development Grant Reprogramming Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0344

Item 42: Authorize application for and acceptance of grant funds from the Office of the Governor, Criminal Justice Division, for the provision of services to elderly abused victims through the Victims of Crime Act/Crime Victim Assistance Program for the period July 1, 2002 through June 30, 2003, a local match in the amount of \$20,000, and execution of the grant agreement - Not to exceed \$100,000 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and Current Funds (\$20,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0345

Item 43: An ordinance amending Chapter 2 of the Dallas City Code to increase the size of the Youth Commission; to designate a quorum size; and to eliminate the Youth Advisory Committee - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 43 be considered as an individual item. Acting Mayor Poss 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.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24824.

[Councilmember Greyson asked that the record reflect that the increase of the Youth Commission should reflect the make up of the council geographically and that the city manager should take that into consideration when making appointments.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0346

Item 44: Authorize (1) a public hearing to be held on February 27, 2002 to receive citizens' comments on the proposed Lot Acquisition Pilot Program and the proposed change to the FY 2001-02 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds to allocate \$912,000 of Community Development Block Grant, HOME and Rental Rehabilitation Grant Funds collected from Rental Housing Program income to the Mortgage Assistance Program to be used in conjunction with the Lot Acquisition Pilot Program and (2) the City of Dallas Chief Financial Officer to request applications for a financial institution to serve as depository of the funds for the Lot Acquisition Pilot Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0347

Item 45: Authorize the City of Dallas Housing Finance Corporation to (1) convert and remarket its Single Family Mortgage Revenue Bonds, Series 2001B as long-term fixed rate bonds and in connection therewith issue single family mortgage revenue refunding bonds to refund a portion of the Corporation's Single Family Mortgage Revenue Refunding Bonds, Drawdown Series 2000 as long-term fixed rate bonds, the combined proceeds of which will make funds available to provide home mortgage financing for persons of low and moderate incomes to purchase residences located within the City of Dallas and (2) issue single family mortgage revenue refunding bonds to refund the remaining portion of Drawdown Bonds with short-term bonds which will be refunded with long-term fixed rate bonds at a later time to ultimately make additional funds available to provide home mortgage financing for persons of low and moderate incomes to purchase residences located within the City of Dallas, the combined remarketing and refunding bond issuance will not exceed \$22,000,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0348

Item 46: Authorize an increase in the assessment of additional penalties from 15% to 20% on delinquent taxes, penalty, and interest due to support the delinquent property tax collection services - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Acting Mayor Poss stated that consent agenda item 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 46 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Fantroy.

After discussion, Acting Mayor Poss called the vote on the motion:

Voting Yes:	[12]	Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney, Fantroy, Walne, Finkelman, Greyson, Lill
Voting No:	[1]	Rasansky
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0349

Item 47: An ordinance granting a Specific Use Permit for a Child-Care Facility use on property presently zoned an R-7.5(A) Single Family District on the west corner of the intersection of Bonnie View Road and Persimmon Road (Z001-216/11456-SE(FD) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24825.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0350

Item 48: Authorize application for and acceptance of the 2001 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Bureau of Justice Assistance for partial reimbursement of approved bulletproof vest purchases, for the period March 1, 1999 through September 30, 2005 - \$167,855 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0351

Item 49: Authorize an Interlocal Agreement with the Dallas County Sheriff's Department for film processing in its Regional Color Lab for the Dallas Police and Fire Departments for the period February 23, 2002 through February 22, 2004 - \$87,992 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0352

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 50-47, was presented.

Agenda items 50, 51, 55 and 57 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 50: Zoning Case Z001-270 (EB)~~ **[Considered individually]**
- ~~Agenda item 51: Zoning Case Z012-112 (JC)~~ **[Considered individually]**
- Agenda item 52: Zoning Case Z012-113 (JC)
- Agenda item 53: Zoning Case Z012-116 (JC)
- Agenda item 54: Zoning Case Z012-118 (EB)
- ~~Agenda item 55: Zoning Case Z012-119 (EB)~~ **[Considered individually]**
- Agenda item 56: Zoning Case Z012-120 (EB)
- ~~Agenda item 57: Zoning Case Z012-121 (EB)~~ **[Considered individually]**

In all zoning cases on the consent zoning docket, the city plan commission recommended approval of the proposed changes in zoning.

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

William Hopkins, 2011 Leath St., regarding all items on the consent zoning docket
Joe Martin, 3105 Gladiolus Ln.
Gwain Wooten, 5111 Holland Ave.

Councilmember Oakley 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 Garcia and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0353

Item 50: Public Hearing - Zoning Case Z001-270 (EB)

The consent zoning docket, consisting of agenda items 50-57, was presented.

Councilmember Finkelman requested that consent zoning docket item 50 be removed from the consent zoning docket to be called as an individual hearing. Acting Mayor Poss stated that consent zoning docket item 50 be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkleman's request.

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

A public hearing was called on zoning case Z 001-270 (EB), an application for and an ordinance granting a Planned Development District for Mini-warehouse, Caretaker quarters and CR Community Retail District uses, on property presently zoned a CR Community Retail District on the south side of Royal Lane between North Central Expressway and Manderville Lane

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

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

Appearing in favor of the city plan commission recommendation:

Kirk Williams, 5400 Renaissance Tower, representing the applicant

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

“For a planned development per the city plan commission's recommendation subject to a revised Development/Landscape Plan indicating additional landscaping along the northern and eastern property line adjacent to the TXU right-of-way and a revised elevation indicating a 3 to 1 pitch of the roofs” and pass the ordinance.

Motion seconded by Councilmember Garcia and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24827.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0354

Item 51: Public Hearing - Zoning Case Z012-112 (JC)

The consent zoning docket, consisting of agenda items 50-57, was presented.

Deputy Mayor Pro Tem Loza requested that consent zoning docket item 51 be removed from the consent zoning docket to be called as an individual hearing. Acting Mayor Poss stated that consent zoning docket item 51 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Deputy Mayor Pro Tem Loza's request.

Later in the meeting, zoning docket item 51 was brought up for consideration.

A public hearing was called on zoning case Z012-112(JC), an application for and an ordinance granting a CR Community Retail District on property presently zoned an MF-2(A) Multifamily District on the northwest corner of Munger Street and Collette Avenue.

(The city plan commission recommended approval.)

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

Deputy Mayor Pro Tem Loza moved to postpone the application until the February 27, 2002 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Chaney and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0355

Item 52: Zoning Case Z012-113 (JC)

Zoning Case Z012-113 (JC), an application for and an ordinance granting a CS Commercial Service District on property presently zoned a CH Clustered Housing District on the northeast corner of Frank Jackson Street and Newt Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24828.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0356

Item 53: Zoning Case Z012-116 (JC)

Zoning Case Z012-116 (JC), an application for and an ordinance granting an R-5(A) Single Family District with retention of the Dry Overlay on property presently zoned an NS(A)-D Neighborhood Service District with a Dry Overlay on the northwest and southwest corners of Bernal Drive and Wisenberger Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24829.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0357

Item 54: Zoning Case Z012-118 (EB)

Zoning Case Z012-118 (EB), an application for and an ordinance amending and expanding Planned Development District No. 305, the City Place Planned Development District, for a new Sub-district for MF-2(A) Multifamily uses on property presently zoned LC Light Commercial, MU-1 Mixed Use and Sub-district I in Planned Development District 305, the CityPlace Planned Development District on the north and east corners of Haskell Street and Lafayette Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24830.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0358

Item 55: Public Hearing – Zoning Case Z012-119 (EB)

The consent zoning docket, consisting of agenda items 50-57, was presented.

Councilmember Walne requested that consent zoning docket item 55 be removed from the consent zoning docket to be called as an individual hearing. Acting Mayor Poss stated that consent zoning docket item 55 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Walne's request.

Later in the meeting, zoning docket item 55 was brought up for consideration.

A public hearing was called on zoning case Z012-119 (EB), an application for and an ordinance granting an amendment to Planned Development District No. 467 for a Public school to construct a new Science Building, a Fine Arts/Music Building and add lights to the existing baseball and softball fields on Church Road, east of Skillman Road.

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

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

“Subject to the revised development plan submitted by the applicant which provides for the addition of two 35 foot monopoles with a 30 foot protective screen between the poles on the baseball field and on the softball field, and further subject to a revision to the landscape condition requiring the evergreen shrubs to be planted along the east property line to a maximum, instead of a minimum of eight feet on center, and a revision to the residential proximity slope condition to exempt the support poles for the protective screening on the baseball and softball fields along with the fair/foul line pole on the baseball and softball fields from the residential proximity slope” and pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24831.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0359

Item 56: Zoning Case Z012-120 (EB)

Zoning Case Z012-120 (EB), an application for and an ordinance granting an amendment to Planned Development District No. 256 for the Police Auto Auction and Outside Salvage and Reclamation facility on the west side of Vilbig Road between Commerce Street West and Fort Worth Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24832.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0360

Item 57: Public Hearing – Zoning Case Z012-121 (EB)

The consent zoning docket, consisting of 50-57, was presented.

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

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

A public hearing was called on zoning case Z012-121 (EB), an application for and an ordinance granting an amendment to Subdistrict G of Planned Development District No. 305, the CityPlace Planned Development District, to accommodate the expansion of the existing Target Store and a decrease in required parking on the southwest corner of North Haskell Avenue and Lemmon Avenue.

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

No appeared in opposition to the city plan commission recommendation.

Appearing in favor of the city plan commission recommendation:

Susan Mead, 1445 Ross Ave., representing the applicant.

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

“To bring the ordinance back for approval on the consent agenda with an amended detailed development plan that meets the requirements of Article 305”

Motion seconded Councilmember Oakley and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0361

Item 58: Public Hearing – Development Code Amendments

Acting Mayor Poss moved to take item 58 out of order from the consent zoning docket at the request of the city attorney.

A public hearing was called on an ordinance amending Chapter 51P of the Dallas City Code, as amended, by codifying Planned Development District Nos. 183, 305, and 375 (CityPlace and the surrounding area), Planned Development District No. 287 (the Arboretum), and Planned Development District No. 317 (the Cedars).

(The city plan commission recommended approval.)

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

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

William Hopkins, 2011 Leath St.

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. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24826.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0362

Item 59: Public Hearing – Development Code Amendments – Under Advisement – Individual

A public hearing was called on an amendment to the Dallas Development Code to amend the regulations for Commercial bus stations and terminals in the CS Commercial Service District to clarify when a Specific Use Permit is required and an ordinance implementing the proposal.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on December 12, 2001, and was taken under advisement until January 23, 2002, with the public hearing open.)

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

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

Motion seconded by Councilmember Oakley and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24833.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0363

Item 60: Public Hearing – Benefit Assessment Hearing

A benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements on Centennial Boulevard/Miami Drive from Buttercup Lane to Elam Road – Financing: No cost consideration to the City

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

Councilmember Fantroy moved to close the public hearing.

Motion seconded by Councilmember Garcia and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0364

02-0365

Item 61: 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 January 23, 2002.

Councilmember Greyson Walne moved to appoint Delphone A. Ganious, (Resident in the South Dallas Fair Park Trust Fund Area), and Willie Mae Coleman, (Resident in the South Dallas Fair Park Trust Fund Area), to the South Dallas Fair Park Trust Fund Board to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2003.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Place 15, Place 3 vacant)

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

02-0390 SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0366

Item 62: An ordinance conditionally waiving up to \$1,235,000 liquidated damages from Western Integrated Networks of Texas, Operating L.P. for failure to timely construct its cable system – Estimated Lost Revenue: \$1,235,000 over two years

Councilmember Greyson moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24834.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0367

Item 63: Authorize a contract with Carter & Burgess, Inc. to conduct a Fees for Services, Costs/Revenue Study - \$77,500 – Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0368

Item 64: Authorize a twelve-month time extension for the Community Development Block Grant projects that have not met the City's twelve-month obligation or twenty-four month expenditure requirement as recommended by the Community Development Commission and amended by the Housing and Neighborhood Development Committee – Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

Councilmember Lill asked Councilmember Thornton Reese if she would accept a friendly amendment to her motion to remove items 60 and 61 under Park and Recreation, K.B. Polk from the reprogramming column and place both items in the extension column.

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

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

After discussion, Acting Mayor Poss called the vote on Councilmember Thornton Reese' motion as modified by the friendly amendment.

Acting Mayor Poss declared the motion adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0369

Item 65: Authorize annual adjustments to appropriations for the 2000-01 fiscal year for year-end close – Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0370

Addendum addition 1: Authorize application for and acceptance of the North Central Texas Council of Governments grant to improve compliance and environmental quality for the period March 15, 2002 through August 31, 2003; and execution of the grant agreement - \$110,558 – Financing: North Central Texas Council of Governments

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0371

Addendum addition 2: Authorize a professional services contract with Support Services Engineering Corporation for expert witness services necessary in the lawsuit, styled City of Dallas v. Explorer Pipeline Company, Inc., Valero Energy Corp., Atofina Petrochemicals, Inc. f/k/a Fina Oil & Chemical Company, Exxon Mobil Corporation, Inc., Diamond Shamrock Refining & Marketing Company, Inc., Conoco, Inc., Phillips Petroleum Company, Inc., Chevron USA, Inc., Motiva Enterprises, LLC, Equilon Enterprises, LLC, The Premcor Refining Group, Inc. f/k/a Clark, Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company f/k/a Amoco Corporation, and Does 1 through 100, Cause No. 00-09678, and any other proceedings relating to the subject matter of this lawsuit – Not to exceed \$46,000 – Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Place 15, Place 3, vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0372

Addendum addition 3: Authorize a professional services contract with Deatech Consulting Company for expert witness services necessary in the lawsuit, styled City of Dallas v. Explorer Pipeline Company, Inc., Valero Energy Corp., Atofina Petrochemicals, Inc. f/k/a Fina Oil & Chemical Company, Exxon Mobil Corporation, Inc., Diamond Shamrock Refining & Marketing Company, Inc., Conoco, Inc., Phillips Petroleum Company, Inc., Chevron USA, Inc., Motiva Enterprises, LLC, Equilon Enterprises, LLC, The Premcor Refining Group, Inc. f/k/a Clark, Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company f/k/a Amoco Corporation, and Does 1 through 100, Cause No. 00-09678, and any other proceedings relating to the subject matter of this lawsuit – Not to exceed \$57,800 – Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0373

Addendum addition 4: Authorize a professional services contract with Joseph E. Odencrantz, PhD., d/b/a Tri-S Environmental for expert witness services necessary in the lawsuit, styled City of Dallas v. Explorer Pipeline Company, Inc., Valero Energy Corp., Atofina Petrochemicals, Inc. f/k/a Fina Oil & Chemical Company, Exxon Mobil Corporation, Inc., Diamond Shamrock Refining & Marketing Company, Inc., Conoco, Inc., Phillips Petroleum Company, Inc., Chevron USA, Inc., Motiva Enterprises, LLC, Equilon Enterprises, LLC, The Premcor Refining Group, Inc. f/k/a Clark, Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company f/k/a Amoco Corporation, and Does 1 through 100, Cause No. 00-09678, and any other proceedings relating to the subject matter of this lawsuit – Not to exceed \$35,000 – Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0374

Addendum addition 5: An ordinance amending Chapter 30 of the Dallas City Code to clarify and strengthen the city's noise regulations and to provide for civil and criminal penalties for noise violations – Financing: No cost consideration to the City

Councilmember Greyson moved to pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24835.

[Councilmember Greyson asked that the record reflect that she would like for the City Attorney's Office and the Animal Control Department review Chapters 7 and 30 of the Dallas City Code and refer back to the Health, Environment and Health Committee within the next 90 days or no later than April.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0375

Addendum addition 6: Confirm the sale of one 1993 John Deere maintainer, which is used to level out road beds, sold at public auction on December 18, 2001, to Rodeo Motors – Revenue: \$32,000

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

January 23, 2002

02-0376

Addendum addition 7: Authorize a contract for upgrades to the heating, ventilation, and air conditioning system and electrical system in the terminal building at Dallas Love Field Airport – Austin Commercial, LP, lowest responsible bidder of two - \$14,688,450 – Financing: Aviation Capital Construction Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0377

Addendum addition 8: Authorize an increase in the contract with Thomas S. Byrne, Inc. for the Love Field Parking Garage Expansion project - \$1,802,723, from \$37,385,330 to \$39,188,053, within the Guaranteed Maximum Price – Financing: No additional cost consideration to the City

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0378

Addendum addition 9: Authorize submission of project applications to the North Central Texas Council of Governments for regional solid waste program local project funding – Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0379

Addendum addition 10: Authorize preparation of plans for issuance of an amount not to exceed \$50,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2002 – Financing: This action has no cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0380

Addendum addition 11: Receive report of the ad hoc City Council canvassing committee and adopt a resolution and order accepting the canvassing committee's report declaring the results of the January 19, 2002 special election – Financing: This action has no cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0381

Addendum addition 12: Administration of Oath of Office to the newly elected Mayor
(if necessary)

Councilmember Walne moved to take no action on this item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Place 15,
Place 3 vacant)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0383

Addendum addition 13: Administration of Oath of Office to the newly elected Member of Council, Place 3 (if necessary)

Councilmember Walne moved to take no action on this item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Place 15, Place 3 vacant)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0383

Addendum addition 14: **Actions to be considered if runoff election is necessary**

- * An ordinance ordering a runoff election to be held Saturday, February 16, 2002 for the purpose of electing a member of the City Council to represent Place 15, in which no candidate received a majority of the votes in the special election held January 19, 2002 – Financing: This action has no cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24819.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0384

Addendum addition 15: **Actions to be considered if runoff election is necessary**

- * An ordinance ordering a runoff election to be held Saturday, February 16, 2002 for the purpose of electing a member of the City Council to represent Place 3, in which no candidate received a majority of the votes in the special election held January 19, 2002 – Financing: This action has no cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted. (Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24820.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0385

Addendum addition 16: **Actions to be considered if runoff election is necessary**

- * Authorize an increase in appropriations in the amount of \$200,000 in the City Secretary's Office Elections budget to cover the estimated cost of the joint election contract with Dallas County - Not to exceed \$200,000, from \$1,065,000 to \$1,265,000 – Financing: Contingency Reserve Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0386

Addendum addition 17: **Actions to be considered if runoff election is necessary**

- * A resolution authorizing the Acting Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the February 16, 2002, runoff election and submit a canvass report to the full City Council on Wednesday, February 23, 2002 - Financing: This action has no cost consideration to the City

The city secretary announced that the resolution authorizing the Acting Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the February 16, 2002, runoff election and submit a canvass report to the full City Council on **Wednesday, February 23, 2002** was incorrect, and it should read: the resolution authorizing the Acting Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the February 16, 2002, runoff election and submit a canvass report to the full City Council on **Wednesday, February 20, 2002** and the resolution was corrected.

The canvassing committee will consist of:

Councilmember Finkelman, chair
Deputy Mayor Pro Tem Loza and Councilmember Fantroy.

Councilmember Fantroy moved to approve the resolution.

Motion seconded by Councilmember Walne and unanimously adopted. (Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0387

Addendum addition 18: A resolution that supports adoption of the DART proposed policy for admitting new member cities - Financing: No cost consideration to the City

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

Councilmember Greyson moved to approve the resolution.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy abstain; Place 15, Place 3 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0388

Addendum addition 19: Authorize the City Manager to fully implement the Procurement Card Program, a card used for small purchases, to include all City of Dallas departments - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

After discussion, Acting Mayor Poss called the vote on the motion:

Voting Yes:	[11]	Poss, Loza, Garcia, Thornton Reese, Oakley, Chaney, Fantroy, Walne, Finkelman, Greyson, Lill
Voting No:	[1]	Rasansky
Absent when vote taken:	[1]	Hill
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0389

Addendum addition 20: Authorize a professional services contract with Black & Veatch Corporation for the performance of an efficiency study of the City of Dallas Water Utilities' water operations - Not to exceed \$500,000 - Financing: Water Utilities Current Funds

Councilmember Chaney moved to approve the item with the following change, to reduce the amount not to exceed of \$500,000 for the Black and Veatch's efficiency study by \$46,000 to allow for the pier review study.

Motion seconded by Councilmember Greyson.

Councilmember Thornton Reese moved to substitute for Councilmember Chaney's motion to approve the item as presented.

Motion seconded by Councilmember Fantroy.

After discussion, Acting Mayor Poss called the vote on Councilmember Thornton Reese's motion:

Voting Yes:	[11]	Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Fantroy, Walne, Finkelman, Greyson, Lill
Voting No:	[2]	Chaney, Rasansky
Vacant:	[2]	Place 15, Place 3

Acting Mayor Poss declared the substitute motion adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2002

EXHIBIT C

2/13/02 10:24 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 23, 2002

02-0300

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
ACTING MAYOR MARY POSS, PRESIDING

PRESENT: [13] Poss, Loza, Garcia, Thornton Reese, Hill, Oakley, Chaney,
Fantroy, Walne, Finkelman, Greyson, Rasansky, Lill

ABSENT: [0]

VACANT:[2] Place 15, Place 3

CORRECTIONS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 23, 2002

02-0374

Addendum addition 5: An ordinance amending Chapter 30 of the Dallas City Code to clarify and strengthen the city's noise regulations and to provide for civil and criminal penalties for noise violations – Financing: No cost consideration to the City

Councilmember Greyson moved to pass the ordinance.

Motion seconded by Councilmember ~~Greyson~~ Finkelman and unanimously adopted.
(Place 15, Place 3 vacant)

Assigned ORDINANCE NO. 24835.

[Councilmember Greyson asked that the record reflect that she would like for the City Attorney's Office and the Animal Control Department review Chapters 7 and 30 of the Dallas City Code and refer back to the Health, Environment and Health Committee within the next 90 days or no later than April.]