

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2002

02-0770

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR LAURA MILLER, PRESIDING

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

ABSENT: [0]

The meeting was called to order at 9:19 a.m.

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

Mayor Miller 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 6:14 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2002

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2002

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0771

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: Albert Parker, 9647 Oak Gate Ln.
REPRESENTING: John Q. Public
SUBJECT: An insensitive act by the Mayor

SPEAKER: Michael Simmons, 2515 Lawrence St.
REPRESENTING: Simmons Custom Painting
SUBJECT: Theft of services by Madie Berry, Joseph Avina and City of Dallas Housing Department

SPEAKER: Roxan Staff, 6964 Tokalon Dr.
REPRESENTING: Bachman Northwest Highway Community Association
SUBJECT: Board and Commission appointments

SPEAKER: Charletta Compton, 3709 Pomeroy Dr.
REPRESENTING: Kimball United Neighborhood Association
SUBJECT: Motel

SPEAKER: Nancy Moffett, 3114 Mapleleaf Ln.
REPRESENTING: Kimball United Neighborhood Association
SUBJECT: Motel

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Mark Flemings, 3715 S. Westmoreland Rd.
REPRESENTING: Freedom Baptist Church
SUBJECT: Motel on Ledbetter Rd. west of Westmoreland Rd.

SPEAKER: Wilma Avalos, 2318 Anson Rd.
SUBJECT: Dance Halls and Clubs

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OPEN MICROPHONE – END OF MEETING:

SPEAKER: Kathy Riggleman, 5231 Kiwanis Rd.
SUBJECT: Zoning issues

CANCELED

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: Mayor of Dallas/State Representative/EPA/DISD

SPEAKER: Tom Gibbons, 7947 Cliffbrook Dr.
SUBJECT: Mechanically unsafe maintained taxis

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: The Mayor's plantation/Harold Simmons' pyramid

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **DID NOT SPEAK**
REPRESENTING: Malcolm X Community Council
SUBJECT: Issues

SPEAKER: Taylor Brannon, 1514 Homeland St.
REPRESENTING: National Youth Political Action Coalition
SUBJECT: A more aggressive Youth Commission

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0772

Item 1: Approval of Minutes of the February 13, 2002.

The secretary stated that the minutes of the voting agenda meeting of February 13, 2002, were not yet complete and would be distributed to the city council for approval at a future meeting.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

01-0773

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-66 was presented for consideration.

The city secretary announced that the city manager had deleted agenda item 32 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city manager requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to the city manager's request.

Councilmember Rasansky requested that consent agenda items 15, 34, 49, 50, 51 and 58 be considered as individual items. Mayor Miller stated that consent agenda items 15, 34, 49, 50, 51 and 58 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Fantroy requested that consent agenda item 31 be considered as an individual item. Mayor Miller stated that consent agenda item 31 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Councilmember Greyson requested that consent agenda item 39 be considered as an individual item. Mayor Miller 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.

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

Councilmember Thornton Reese moved to approve all items on the consent agenda with the exception of consent agenda item 32 was deleted and consent agenda items 15, 26, 30, 31, 34, 37, 39, 46, 49, 50, 51 and 58 would be considered later in the meeting.

Motion seconded by Councilmember Rasansky and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0774

Item 2: Authorize a contract with Hector Gomez Engineers, Inc. to design a new fire suppression deluge system at the Northwest Transfer Station located at 9500 Harry Hines Boulevard - \$16,250 - Financing: General Capital Reserve Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0775

Item 3: Authorize a professional services contract with Milton Powell & Partners for the design, construction documents and construction administration for the Lancaster Kiest Branch Library - \$395,620 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0776

Item 4: Authorize a professional services contract with Corrpro Companies, Inc. to provide engineering services for corrosion prevention design of White Rock North, Dallas Fort Worth Airport and Cedar Crest water transmission mains - \$408,528 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0777

Item 5: Authorize a contract for parking improvements, Phase II, and security lighting at Thurgood Marshall Recreation Center - H.C.I. General Contractors, Inc., lowest responsible bidder of five - \$172,873 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0778

Item 6: Authorize a contract for the construction of a new playground at Barry Barker Park - Irri-Con, lowest responsible bidder of five - \$78,870 - Financing: 1998 Bond Funds (\$78,170) and Park and Recreation Beautification Funds (\$700)

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0779

Item 7: Authorize a contract for site development including soccer field lighting, security lighting, landscaping, grading and drainage improvements for the existing playground and soccer field at Benito Juarez Parque de Heroes (formerly known as Winnetka Park) - Irri-Con, lowest responsible bidder of five - \$76,668 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0780

Item 8: Authorize a contract for soccer/football fields lighting at Fretz Park - BCS Electric, lowest responsible bidder of four - \$84,315 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0781

- Item 9. Authorize a contract for asphaltic concrete street restoration and rehabilitation on various unimproved streets - JRJ Paving, L.P., lowest responsible bidder of five - \$1,943,349 - Financing: Current Funds (\$1,804,199), Water Utilities Capital Construction Funds (\$65,350), Wastewater Capital Construction Funds (\$73,800)

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0782

Item 10: Authorize a contract for the construction of water and wastewater main replacements at various locations within the Lower Five Mile Creek drainage area, Phase II, bounded by I.H. 30, I.H. 45, I.H. 20 and U.S. 67 - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of five - \$2,079,583 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0783

Item 11: Authorize a contract for the construction of 30-inch and 24-inch wastewater mains in westbound Woodall Rodgers Freeway service road from west of Field Street to Fairmont Street - William J. Schultz, Inc. dba Circle "AC" Construction Company, lowest responsible bidder of six - \$1,939,450 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0784

Item 12: Authorize Supplemental Agreement No. 5 to the contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. to provide sampling and laboratory analysis to determine original paint type and color for the Embarcadero and Creative Arts Buildings at Fair Park - \$49,000, from \$110,090 to \$159,090 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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February 27, 2002

02-0785

Item 13: Authorize Supplemental Agreement No. 2 to the contract with APM & Associates, Inc. for additional surveying services for right-of-way and easement acquisition for the South Central Addition Access improvements - \$50,362, from \$358,677 to \$409,039 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0786

Item 14: Authorize an increase in the contract with Manhattan Construction Company for the construction of the Dallas Convention Center Expansion and Renovation 2002 project - \$486,500, from \$93,774,855 to \$94,261,355, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0787

Item 15: **Preston Road from LBJ Freeway to Forest Lane**

- * Authorize sidewalk paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

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

Councilmember Rasansky moved to defer the item until the April 10, 2001 voting agenda meeting of the city council.

Motion seconded by Councilmember Chaney and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0788

Item 16: **Preston Road from LBJ Freeway to Forest Lane**

- * Authorize a benefit assessment hearing to be held on April 24, 2002, for sidewalk paving - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0789

Item 17: **Sidewalk Group 98-121**

Franklin Street; Bridal Wreath Lane to Kiest Boulevard
Racine Drive; Camp Wisdom Road to Kirnwood Drive (west side only)

- * Authorize sidewalk paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0790

Item 18: **Sidewalk Group 98-121**

Franklin Street; Bridal Wreath Lane to Kiest Boulevard
Racine Drive; Camp Wisdom Road to Kirnwood Drive (west side only)

- * Authorize a benefit assessment hearing to be held on April 24, 2002, for sidewalk paving - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0791

Item 19: Authorize the rejection of bids received for the 108-inch water transmission line from the Lake Fork Pump Station to near Lake Tawakoni, section two, and the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0792

Item 20: Re-authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 4 water main easements containing a total of approximately 23,752 square feet of land located on the east side of Preston Road near its intersection with President George Bush Turnpike, for a 36-inch water main project - \$94,369 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0793

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estate of Frank W. Smith, of approximately 3.4 acres of unimproved land located at the intersection of Kiest Boulevard and Skylark Drive for a replacement site for the Lancaster Kiest Branch Library - \$147,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0794

Item 22: Authorize acquisition from Walter J. Kovar and Beverly Sharon Kovar of approximately 32,229 square feet of land improved with a single-family dwelling located near the intersection of Winding Creek Road and Schafer Street for the Renner Creek Floodplain Management Project - \$180,000 and eligible relocation benefits - Not to exceed \$22,500 for owner-occupied property, plus moving expenses - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0795

- Item 23: Authorize a three-year and eight-month lease agreement with Dallas County Hospital District, for approximately 2,700 square feet of office space located in the Live Oak Medical Building at 3320 Live Oak Street, for the Women, Infants and Children Clinic for the period March 1, 2002 through October 31, 2005 - Not to exceed \$34,350 annually with a total not to exceed \$125,950 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0796

Item 24: An ordinance abandoning portions of a sanitary sewer easement containing approximately 7,047 square feet of land and a storm sewer easement containing approximately 7,255 square feet of land to Kayasa Family, Ltd. and Henry Eugene Robertson, the abutting owners located near the intersection of Buckner Boulevard and Scyene Road, providing for the dedication of new easements and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24848.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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February 27, 2002

02-0797

Item 25: An ordinance abandoning a portion of Brookhollow Road to Brook Hollow Golf Club and Lounette Thomson as Trustee of the Thomson Living Trust, the abutting owners, containing approximately 19,503 square feet of land located near its intersection with Harry Hines Boulevard, providing for the dedication of approximately 26,304 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. 24849.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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February 27, 2002

02-0798

Item 26: An ordinance abandoning a portion of First Street and Lancaster Avenue to Southern Foods Group, L.P., the abutting owner, containing approximately 43,969 square feet of land located between Marsalis Avenue and Addison Street and authorizing the quitclaim - Revenue: \$156,969 plus the \$20 ordinance publication fee

The following individual addressed the city council regarding the abandonment:

Kirk Williams, 5400 Renaissance Tower, representing Southern Food Group, L.P.

Councilmember Garcia moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 24850.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0799

Item 27: Authorize the quitclaim of 14 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$143,036

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0800

Item 28: An ordinance granting a private license to Bryan Tower, L.P. for the use of approximately 860 square feet of land to maintain existing cooling water supply lines, return lines and pneumatic lines under a portion of Federal Street right-of-way located near its intersection with Harwood Street - Revenue: \$1,084 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24851.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0801

Item 29: An ordinance granting a private license to Gables Realty Limited Partnership for the use of approximately 1,180 square feet of land to install and maintain subsurface fiber optic cables under portions of Thomas Avenue and Ellis, Clark and State Streets rights-of-way - Revenue: \$1,275 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24852.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0802

Item 30: Authorize a lease agreement with Basic Capital Management, Inc. for the purpose of processing and permanently disposing of dredge materials from Bachman Lake on property located in the City of Farmers Branch, consideration for the lease will include placement of dredge materials, grading and compaction to be performed by a City contractor according to the project plans per acceptable bid - Financing: No cost consideration to the City

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

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

The following individual addressed the city council regarding the lease agreement:

Rex Cumming, 4313 Buena Vista St., representing Bachman Lake Foundation

Councilmember Lill moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0803

Item 31: Authorize a twenty-four-month price agreement for light bulbs with the lowest responsible bidders of eight - Voss Lighting and Texas Best Diversified, Inc. dba Bluebonnet Supply - Not to exceed \$759,608 - Financing: Current Funds (\$300,844), Convention and Event Services Current Funds (\$235,000), Water Utilities Current Funds (\$148,764), Aviation Current Funds (\$75,000)

Councilmember Fantroy requested that consent agenda item 31 be considered as an individual item. Mayor Miller stated that consent agenda item 31 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting, agenda item 31 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0804

Item 32: Authorize a thirty-six-month price agreement for aggregates; such as gravel, sand, crushed concrete, etc., with the lowest responsible bidders of nine - Europace, Inc., Sunbelt Materials a subsidiary of Sunbelt Vacuum Service, Inc., Earth Haulers, Inc., Fields Hauling, Eagle Express Truck Services, Inc., Martin Marietta Material Southwest Limited, Big City Crushed Concrete, Inc., and Texas Industries - Not to exceed \$7,863,807 - Financing: Current Funds (\$3,302,315), Aviation Current Funds (\$103,352), Water Utilities Current Funds (\$4,458,140)

The city secretary announced that the city manager had deleted agenda item 32 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0805

Item 33: Authorize a sixty-month service contract, with two twelve-month renewal options for collection of delinquent fines and fees for traffic, City ordinance and state law violations, excluding parking violations, for Court and Detention Services with the lowest responsible bidder of five - Linebarger, Goggan, Blair, Pena and Sampson, LLP - City will pay 30% commission only on fine amounts collected - Estimated Annual Revenue: \$5,470,512

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0806

Item 34: Authorize (1) rescinding the thirty-six-month price agreement for 3M automotive adhesives and abrasives with Earl Owen Co., Inc., previously authorized by Council Resolution #01-3658, on December 12, 2001, and (2) a thirty-six-month price agreement for 3M automotive adhesives and abrasives with the lowest responsible bidder of four - Midway Auto Supply Co. - Not to exceed \$144,566 - Financing: Current Funds (\$94,400), Water Utilities Current Funds (\$44,166) and Convention and Event Services Current Funds (\$6,000)

Councilmember Rasansky requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 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 34 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0807

Item 35: Authorize a twenty-four-month price agreement for hoses, sewer hoses and accessories with the lowest responsible bidders of seven - 4-Star Air, Hydraulic and Industrial Hose & Supply, Inc., Texas Rubber Supply, Inc. and Kamco Hose & Pipe - Not to exceed \$187,918 - Financing: Water Utilities Current Funds (\$144,688) and Current Funds (\$43,230)

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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February 27, 2002

02-0808

- Item 36. Authorize a thirty-six-month price agreement for fire protective clothing with the lowest responsible bidders of five - CASCO Industries, Inc. and Four Alarm Fire Equipment, M.E.S. - Not to exceed \$2,846,528 - Financing: Current Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

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February 27, 2002

02-0809

Item 37: Authorize the purchase of four fire pumpers, fifteen rescue units, four battalion chief vehicles, through the Interlocal Agreement with the Houston-Galveston Area Council of Governments - Not to exceed \$2,552,472 - Financing: 2001 Equipment Acquisition Contractual Obligation Notes (\$1,220,056), Current Funds (\$1,332,416)

The city manager requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to his request.

Later in the meeting, agenda item 37 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item, with the exception of the fifteen rescue units.

Motion seconded by Councilmember Walne and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0810

Item 38: Authorize a thirty-six-month price agreement for traffic signal lamps with the lowest responsible bidder of eight - P.Q.L., Inc. - Not to exceed \$180,675 -
Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0811

Item 39: Authorize a thirty-six-month service contract for analytical laboratory testing with the lowest responsible bidder of four - Certes Environmental Laboratories, L.L.C. - Not to exceed \$700,793 - Financing: Current Funds (\$575,294), Water Utilities Current Funds (\$125,499)

Councilmember Greyson requested that consent agenda item 39 be considered as an individual item. Mayor Miller 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 Councilmember Lill and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0812

Item 40: Authorize a forty-eight-month price agreement for reinforced concrete pipe with the lowest responsible bidder of three - Hanson Pipe & Products, Inc. - Not to exceed \$175,063 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0813

Item 41: Authorize a thirty-six-month price agreement for pre-cast meter vaults with the only bidder - New Basis - Not to exceed \$256,685 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0814

Item 42: Authorize a thirty-six-month price agreement for butterfly valves with the lowest responsible bidders of two - M & H Valve Company and Municipal Valve & Equipment Company - Not to exceed \$2,086,278 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0815

Item 43: Authorize settlement of a lawsuit, styled Isabel Fonseca and Jose Fonseca v. City of Dallas and Deborah Thompson, Cause No. 01-01842-E - \$6,000 -
Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0816

Item 44: Authorize settlement of a lawsuit, styled Lewis Pearcey and Estella Lewis v. City of Dallas and Cindy L. Smith, Cause No. DV 01-00050-C - \$6,000 -
Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0817

Item 45: Authorize settlement of a claim filed by Raul Ramirez, Claim No. 20013597 -
\$17,967 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0818

Item 46: Authorize a loan agreement with Spears SeaFood Market which is located at 3113 Grand Avenue in the South Dallas/Fair Park Trust Fund target area to provide funding for a full services seafood market - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds

Councilmember Chaney requested that consent agenda item 46 be considered as an individual item. Mayor Miller stated that consent agenda item 46 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 46 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0819

Item 47: Authorize a public hearing to be held on March 27, 2002 to receive citizens' comments on the proposed change to the City of Dallas FY 2000-01 U.S. Department of Housing and Urban Development Action Plan for the N2WIN!/BAMA Pie Project to reflect the HUD National Objective: 570.208(b)(2) - addressing Slum or Blight on a Spot Basis and Eligibility: 570.202 & 570.202(d) - eligible Rehabilitation and Preservation activities/Historic Preservation - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0820

Item 48: Authorize an amendment to the contract with the Oak Cliff Foundation to reduce the funding gap/operating reserve requirement from \$600,000 to \$300,000 for the renovation of the Texas Theatre property located at 231 E. Jefferson Boulevard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0821

Item 49: **City Center TIF District**

- * Authorize (1) a development agreement with Main Street Investors Joint Venture to provide for the funding of facade improvements related to the redevelopment of 1520-1522 Main Street in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$970,000; (2) the establishment of appropriations in an amount of \$970,000 in the City Center TIF District Fund - Total not to exceed \$970,000 - Financing: City Center TIF District Funds to be advanced by a private developer and reimbursed from the City Center TIF District Fund

Councilmember Rasansky requested that consent agenda item 49 be considered as an individual item. Mayor Miller stated that consent agenda item 49 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 49 was brought up for consideration..

Councilmember Lill moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0822

Item 50: **City Center TIF District**

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse Main Street Investors Joint Venture for funds advanced pursuant to a development agreement between the City and Main Street Investors Joint Venture in an amount not to exceed \$970,000 plus interest, for facade improvements related to the redevelopment of 1520-1522 Main Street in the City Center TIF District - \$970,000 - Financing: To be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from the City Center TIF District Fund

Councilmember Rasansky requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 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 50 was brought up for consideration..

Councilmember Lill moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0823

Item 51: **State-Thomas TIF District**

- * Authorize a development agreement with State Thomas Apartments, LP, for (1) the funding of design and construction of certain public improvements for the Marquis at State Thomas (Block 547) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District); and (2) the establishment of appropriations in an amount not to exceed \$730,000 in the State-Thomas TIF District - \$730,000 - Financing: To be advanced by a private developer and reimbursed with interest from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Councilmember Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Miller stated that consent agenda item 51 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 51 was brought up for consideration.

Councilmember Lill moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0824

Item 52: **State-Thomas TIF District**

- * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) to reimburse State Thomas Apartments, LP, for the funds advanced pursuant to a development agreement between the City of Dallas and State Thomas Apartments, LP, in an amount not to exceed \$730,000 plus interest, for certain public improvements related to the development of the Marquis at State Thomas (Block 547) located in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) - \$730,000 - Financing: To be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the State-Thomas TIF District Fund

Councilmember Rasansky requested that consent agenda item 52 be considered as an individual item. Mayor Miller stated that consent agenda item 52 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 52 was brought up for consideration.

Councilmember Lill moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0825

Item 53: Authorize application for and acceptance of grant funds from the Environmental Protection Agency for the development of Community Health Seminars for the period July 1, 2002 through June 30, 2003 and execution of the grant agreement - Not to exceed \$64,285 - Financing: United States Environmental Protection Agency Grant Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0826

Item 54: Authorize an Interlocal Agreement with the United States Social Security Administration to execute a Blanket Purchase Agreement for the purchase of birth and death certificates from the City of Dallas, Bureau of Vital Statistics for the period of March 1, 2002 through April 30, 2003 - Estimated annual revenue: \$1,000

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0827

Item 55: Authorize Supplemental Agreement No. 1 to the contract with Dallas County Local Workforce Development Board dba WorkSource, Inc. to extend the term of the contract through June 30, 2002 to allow the City to continue to provide Welfare-to-Work services for Temporary Assistance to Needy Families recipients - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0828

Item 56: Authorize the reconstruction on site of one home in accordance with the Home Repair Program Statement requirements for the property located at 236 W. Woodin Boulevard - Not to exceed \$50,000 - Financing: 1999-00 HOME Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0829

Item 57: Authorize a public hearing to be held on March 27, 2002 to receive citizens' comments in preparation of the FY 2002-03 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0830

Item 58: Authorize a maintenance agreement with American Management Systems, Inc. for the support and maintenance of the City's automated financial system
- Not to exceed \$151,486 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 58 be considered as an individual item. Mayor Miller stated that consent agenda item 58 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 58 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0831

Item 59: Authorize Supplemental Agreement No. 11 to the Interlocal Agreement with the Dallas Housing Authority to extend the term from March 25, 2002 to March 24, 2003 and add funding for marketing and providing rental bonus payments to property owners leasing three and four bedroom units to participants in the Section 8 Bonus Incentive Program - \$75,000 - Financing: 2001-02 Community Development Grant Funds (\$67,500) and Current Funds (\$7,500)

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0832

Item 60: Authorize a development agreement between the City of Dallas and the Friends of the Katy Trail, Inc. for the purpose of fundraising, designing and constructing a portion of the Katy Trail - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0833

Item 61: Authorize an Interlocal Agreement with Dallas County Schools to transport participants to activities such as after-school, golf, Send-A-Kid to Camp, tennis, therapeutic services, programs for senior citizens and various programs in the East and West Regions of the Park Department for the period of April 1, 2002 through January 2, 2003 - Not to exceed \$89,450 - Financing: Current Funds (\$85,750), Walker Consent Decree Funds (\$2,200) and 2001-02 Community Development Grant Funds (\$1,500)

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0834

Item 62: An ordinance authorizing a correction to Ordinance No. 24203 which established Specific Use Permit No.1399 for a utility or government installation other than listed on the east corner of the intersection of Stemmons Freeway and Storey Lane (Z990-128/9975-NW(FD) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24853.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0835

Item 63: An ordinance granting an MU-3 Mixed Use District on property zoned an NO(A) Neighborhood Service District and a resolution accepting deed restrictions submitted by the applicant on property located on Alpha Road, east of Noel Road (Z990-232/11231-NC(BP)) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24854.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0836

Item 64: Authorize (1) an Interlocal Agreement with the North Central Texas Council of Governments for inclusion of selected City of Dallas' geographic information system data on the North Central Texas Council of Governments/community web site, (2) North Central Texas Council of Governments to host City of Dallas' geographic information system data for two years at an annual cost of \$10,000, and (3) North Central Texas Council of Governments to direct Geographic Data Technologies to attach City of Dallas street centerline attribute data onto the Geographic Data Technologies street centerline geographic information system file for Dallas - \$45,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0837

Item 65: Authorize endorsement of the Genisus Project (formerly Prestonwood Town Center) for the Land Use/Transportation Joint Venture (Sustainable Development) Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0838

Item 66: Authorize endorsement of the Victory Development Project for the Land Use/Transportation Joint Venture (Sustainable Development) Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0839

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 67-70, was presented.

Agenda items 67, 68 and 69 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 67: Zoning Case Z012-104 (RB)	[Considered individually]
Agenda item 68: Zoning Case Z012-128 (RB)	[Considered individually]
Agenda item 69: Zoning Case Z012-138 (JC)	[Considered individually]
Agenda item 70: Zoning Case Z012-148 (RB)	

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

William Hopkins, 2011 Leath, regarding Zoning Case Z012-148 (RB)

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

Councilmember Finkelman 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 Fantroy and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0840

Item 67: Zoning Case Z012-104 (RB)

The consent zoning docket, consisting of 67-70, was presented.

Councilmember Chaney requested that consent zoning docket item 67 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 67 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, zoning docket 67 was brought up for consideration.

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

A public hearing was called on zoning case Z012-104 (RB), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 442 for an Institution of religious, charitable and philanthropic nature for a YMCA to permit an Open-enrollment charter school on the east corner of Romine Street and Latimer Street.

(The city plan commission recommended approval, for a two-year period with eligibility for automatic renewal for additional two-year periods.)

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

The following individual addressed the city council regarding zoning case Z012-104 (RB):

William Hopkins, 2011 Leath St.

Councilmember Hill moved to postpone the application until the March 27, 2002 voting agenda meeting of the city council and to continue the public hearing at that time.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0841

Item 68: Zoning Case Z012-128 (RB)

The consent zoning docket, consisting of 67-70, was presented.

Councilmember Walne requested that consent zoning docket item 68 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 68 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 68 was brought up for consideration.

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

A public hearing was called on zoning case Z012-128 (RB), an application for and an ordinance granting an RR Regional Retail District on property zoned an MC-3 Multiple Commercial District on Garland Road, southwest of Northwest Highway.

(The city plan commission recommended approval.)

Appearing in favor of the city plan commission recommendation:

Todd Hamula, 14600 Detroit Ave., Lakewood OH, representing the applicant
Tom Ludworth, (no address given), representing the applicant

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

The following individual addressed the city council regarding zoning case Z012-128 (RB):

William Hopkins, 2011 Leath St.

Councilmember Poss moved to postpone the application until the March 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. (Walne abstain)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0842

Item 69: Zoning Case Z012-138 (JC)

The consent zoning docket, consisting of 67-70, was presented.

Councilmember Fantroy requested that consent zoning docket item 69 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 69 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting, zoning docket 69 was brought up for consideration.

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.

A public hearing was called on zoning case Z012-138 (JC), an application for and an ordinance granting an amendment to and an expansion of Specific Use Permit No. 472 for a Junior College on property zoned an R-7.5(A) Single Family District on the northeast corner of Illinois Avenue and Duncanville Road.

(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 zoning case Z012-138 (JC):

William Hopkins, 2011 Leath St.

Councilmember Housewright 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. (Fantroy abstain)

Assigned ORDINANCE NO. 24855.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0843

Item 70: Zoning Case Z012-148 (RB)

The consent zoning docket, consisting of 67-70, was presented.

A public hearing was called on zoning case Z012-148 (RB), an application for and an ordinance granting an amendment to the conditions for Specific Use Permit No. 1449 for a Commercial amusement (inside) use for a Class E Dance hall on property zoned a CR Community Retail District on Dallas North Tollway, north of Belt Line Road.

(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 zoning case Z012-148 (RB):

William Hopkins, 2011 Leath St.

Councilmember Finkelman 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. 24856.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0844

Item 71: Public Hearing – Zoning Case Z012-112 (JC)

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. This item was considered by the City Council at a public hearing on January 23, 2002, and was taken under advisement until February 27, 2002, with the public hearing open.)

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

The following individual addressed the city council regarding zoning case Z012-112 (JC):

William Hopkins, 2011 Leath St.

Deputy Mayor Pro Tem Loza moved to postpone the application until the April 24, 2002 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Lill and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0845

Item 72: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on an amendment to the Dallas Development Code to provide a new lodging use classification for extended stay hotels and an ordinance implementing the proposal.

(The city plan commission recommended approval.

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

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

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

Assigned ORDINANCE NO. 24857.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0846

Item 73: Public Hearing - THOROUGHFARE PLAN AMENDMENTS

A public hearing was called on to authorize an amendment to the Thoroughfare Plan to reduce the designated right-of-way of All Star Way from North Houston Street to Victory Avenue from 70 feet to 67 feet and to designate Victory Avenue from Continental Avenue to Lamar Street as a three-lane southbound Principal Arterial Couplet within a 56 foot right-of-way and an ordinance implementing the changes - Financing: No cost consideration to the City

The following individual addressed the city council regarding the Thoroughfare Plan Amendments:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 24858.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0847

Item 74: Public Hearing - MISCELLANEOUS HEARING

A public hearing to receive citizens' comments regarding a proposed name change of Redbird Airport to "Dallas Executive Airport" and Council action approving an ordinance adopting the name change and amending Chapters 5, 28, 31 and 51A of the Dallas City Code to reflect the name change - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the proposed name change:

Minnie Crayton David, 1624 Watervaliet Dr., representing Redbird Airport Planning Board
Don David, 1624 Watervaliet Dr., representing Redbird Airport Planning Board
Andy Berry, 3963 Sherwood Forest Dr., representing Cutter Aviation
Marva Godbolt, 2422 Gibbs Williams Rd.
John W. Moore, 511 Green Cove Ln.
Ronald Davis, 1915 Elderleaf Dr.
Joe Martin, 3105 Gladiolus Ln
William Hopkins, 2011 Leath St.
Nancy Moffett, 3114 Mapleleaf Ln.
Johnnie L. Willis, 3715 Kiest Crest Dr.
Steven Hendrick, 2721 Middlestone Ln., Carrollton, TX
Allen McGill, (no residence given)
Paul Hook, 616 Awick Silver Dr., DeSoto, TX
Dennis Sorber, 1550 Jessie Rasmey, Cedar Hill, TX
Dalton Lott, 1700 Cedar Hill Rd., Duncanville, TX
Dan Pickering, 411 E. Hwy 67, Duncanville, TX
George Shivers, 1141 Greathouse, Waxahachie, TX, representing Jet Center of Dallas

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

Motion seconded by Councilmember Oakley.

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

Voting Yes:	[10]	Miller, Hill, Loza, Garcia, Oakley, Chaney, Fantroy, Walne, Rasansky, Lill
Voting No:	[2]	Housewright, Thornton Reese
Absent when vote taken:	[3]	Poss, Finkelman, Greyson

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24859.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0848

Item 75: Public Hearing - MISCELLANEOUS HEARING

A public hearing 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 \$911,604 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 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the proposed Lot Acquisition Pilot Program:

William Hopkins, 2011 Leath St.

Councilmember Chaney moved to close the public hearing.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0849

Item 76: Public Hearing - MISCELLANEOUS HEARING

A public hearing was called to authorize (1) a Program Statement for a Lot Acquisition Pilot Program that provides loan financing to Community Housing Development Organizations to assist with lot acquisition costs for developing new affordable single-family housing for low and moderate income households, (2) an amendment to the adopted FY 2001-02 Consolidated Plan Budget to allocate \$489,204 of Community Development Grant and \$422,400 of HOME Funds collected as Rental Housing Program Income to the Mortgage Assistance Program for the proposed Lot Acquisition Pilot Program, (3) an amendment to the professional services contract with The Enterprise Foundation, Incorporated to provide financial services and administration of the City's Mortgage Assistance Program for FY 2001-02 to include additional funding in an amount of \$911,604 for program cost to be used in conjunction with the Lot Acquisition Pilot Program and (4) appropriation of \$1,000,000 in Walker Trust Fund interest earnings for the Lot Acquisition Pilot Program - Total not to exceed \$1,911,604 - Financing: 2001-02 Community Development Grant Funds (\$489,204), 2001-02 HOME Funds (\$422,400), Walker Trust Funds (\$1,000,000) [02-0849]

The following individual addressed the city council regarding the Program Statement for a Lot Acquisition Pilot Program:

William Hopkins, 2011 Leath St.

Councilmember Chaney moved to close the public hearing.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0850

02-0851

Item 77: 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 February 27, 2002.

Councilmember Garcia moved to appoint Margaret A. Donnelly to the Ethics Advisory Committee.

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

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

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

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

02-0870	EAC	ETHICS ADVISORY COMMISSION
02-0871	URSB	URBAN REHABILITATION STANDARDS BOARD

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0852

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal issues regarding downtown Sports Arena TIF project

A closed session was held as authorized by Chapter 551, "OPEN MEETINGS," of the (Texas Open Meetings Act) to discuss the following matters:

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal issues regarding downtown Sports Arena TIF project

The following items were made a part of the closed session:

Addendum items 3, 4 and 5

Addendum item 16

No other matters were discussed during the closed session.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0853

Addendum addition 1: Authorize (1) the appointment of five Administrative Law Judges (ALJ), Frederick Ahrens, Willie Crowder, Michael Eberhardt, Kimberly Lonergan, and William Messer, to hear employee appeals of terminations and demotions and (2) contracts for each ALJ with the City of Dallas in the amount of \$4,000 each - Total not to exceed \$20,000 - Financing: Current Funds (\$10,000 to be reimbursed by the appealing employees)

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0854

Addendum addition 2: Authorize an amendment to the Intown Housing Program Section 108 Contract for Loan Guarantee Assistance to extend the final date from June 30, 2002 to June 30, 2004 for the drawdown of funds for expenditures associated with the Davis Building project - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0855

Addendum addition 3: **Dallas Convention Center Expansion and Renovation 2002**

- * Authorize Supplemental Agreement No. 5 to the contract with Austin Commercial, L.P. to provide additional construction management services for connector signage supports and lighting under Exhibit Hall F for Dallas Area Rapid Transit, increasing the Guaranteed Maximum Price for the Dallas Convention Center Expansion and Renovation 2002 project in the amount of \$105,000, from \$110,996,521 to \$111,101,521 and the total contract amount from \$120,371,381 to \$120,476,381 - \$105,000 - Financing: 1998 Convention Center Expansion Funds

During discussion, Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0856

Addendum addition 4: **Dallas Convention Center Expansion and Renovation 2002**

- * Authorize an increase in the contract with Manhattan Construction Company for the construction of the Dallas Convention Center Expansion and Renovation 2002 project to provide connector signage supports and lighting under Exhibit Hall F for Dallas Area Rapid Transit - \$95,279, from \$94,261,355 to \$94,356,634, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

During discussion, Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0857

Addendum addition 5: **Dallas Convention Center Expansion and Renovation 2002**

- * Authorize (1) contracts with five firms for carpet, exterior cleaning, elevator renovations, Lobby C renovations, and graphics/signage for the Dallas Convention Center Capital Improvement Program's Unification projects in an amount not to exceed \$3,328,904, and (2) assignment of the contracts to Austin Commercial, L.P. for construction management, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

During discussion, Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Loza moved to approve the item, with the assignment of the contracts to Austin Commercial, L.P. for construction management, within the Guaranteed Maximum Price.

Motion seconded by Councilmember Rasansky and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0858

Addendum addition 6: **Jack Evans Police Headquarters**

- * Authorize an increase in the contract with Constructors & Associates, Inc. for the interior finish-out contract for the Jack Evans Police Headquarters to provide for plumbing connections for an added humidity chamber in the physical evidence lab, relocation of proximity card reader devices, built-in storage cabinets and an evidence pass-through counter for narcotics, enlarge telecommunications closets, increase the quantity of toilets in the women's locker rooms, redesign the gang unit offices, and provide a sink for staff use in the sex offender registration room - \$494,614, from \$10,988,000 to \$11,482,614, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne.

After discussion, Mayor Miller called for the vote on the motion.

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0859

Addendum addition 7: **Jack Evans Police Headquarters**

- * Authorize an increase in the contract with Constructors & Associates, Inc. for the interior finish-out contract to provide improvements to the parking garage structure for the Jack Evans Police Headquarters - \$46,547, from \$11,482,614 to \$11,529,161, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne.

After discussion, Mayor Miller called for the vote on the motion.

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0860

Addendum addition 8: **Jack Evans Police Headquarters**

- * Authorize (1) a contract with Constructors & Associates, Inc. for the construction of landscape at the Jack Evans Police Headquarters facility in an amount not to exceed \$1,808,400, and (2) assignment of the contract to Centex - 3D/I, a joint venture, for construction management, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne.

After discussion, Mayor Miller called for the vote on the motion.

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0861

Addendum addition 9: **Jack Evans Police Headquarters**

- * Authorize conveyance of an easement and right-of-way containing approximately 4,850 square feet of land to Oncor Electric Delivery Company (formerly TXU Electric) for the construction and maintenance of utility facilities across City-owned land at the Jack Evans Police Headquarters located near the intersection of Belleview and Lamar Streets - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne.

After discussion, Mayor Miller called for the vote on the motion.

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0862

Addendum addition 10: **Jack Evans Police Headquarters**

- * Authorize a contract with Oncor Electric Delivery Company (formerly TXU Electric) to provide modifications to the electric service supply to the Jack Evans Police Headquarters, an Owner cost item, not included in the Construction Manager's Guaranteed Maximum Price - \$429,989 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne.

After discussion, Mayor Miller called for the vote on the motion.

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0863

Addendum addition 11: Authorize conveyance of two drainage easements containing approximately 4,618 square feet of land to the City of Rockwall, for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Summer Lee Drive and La Costa Drive - Financing: No cost consideration to the City

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0864

Addendum addition 12: An ordinance abandoning a portion of Northwest Highway service road to Mary Agnes Evans, individually and as Independent Executrix of the Estate of R.O. Evans, Mary Agnes Evans and Peggy Louise Evans, Trustees for the R.O.E. Family Trusts, Janice Ann Surber a.k.a. Janice Evans Surber, Royce O. Evans, Jr., Dorothy Jean Hind a.k.a. Dorothy Evans Hind, individuals, the abutting owners, containing approximately 8,154 square feet of land, providing for the dedication of approximately 1,792 square feet of land needed for street right-of-way and providing for the quitclaim - Revenue: \$86,523 plus the \$20 ordinance publication fee

Councilmember Poss moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted.

Assigned ORDINANCE NO. 24860.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0865

Addendum addition 13: Authorize release of additional 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

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0866

Addendum addition 14: **Latino Cultural Center**

- * Authorize (1) twelve contracts for construction materials and services for the Latino Cultural Center in an amount not to exceed \$3,805,763, and (2) assignment of the contracts to Thos. S. Byrne, Inc., for construction management - Financing: No additional cost consideration to the City

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.

Deputy Mayor Pro Tem Loza moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0867

Addendum addition 15: **Latino Cultural Center**

- * Authorize the rejection of bids received for two bid packages for wood doors and interior wood wall veneer for the Latino Cultural Center and the readvertisement for new bids - Financing: No additional cost consideration to the City

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.

Deputy Mayor Pro Tem Loza moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0868

Addendum addition 16: Authorize a professional services contract with the law firm of Ted B. Lyon & Associates, to provide legal services in the lawsuit, styled City of Dallas v. Explorer Pipeline Company, Inc., Atofina Petrochemicals, Inc. fka Fina Oil & Chemical Company, Exxon Mobile 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., fka Clark Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company fka Amoco Corporation and Does 1 through 100; Cause No. DV00-09678-H, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$200,000 - Financing: Current Funds

During discussion, Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

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

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

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

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

Mayor Pro Tem Hill declared the motion adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 27, 2002

02-0869

Addendum addition 17: Authorize an amendment to the 2002 City Calendar to (1) cancel the March 18, 2002 City Council Legislative Affairs Committee, Arts, Education & Libraries Committee, and Housing & Neighborhood Development Committee meetings and (2) add a City Council 2002 Bond Program Briefing meeting on March 18, 2002, to be held at City Hall in Room 6ES, at 9:00 a.m. and continued following the recess from the noon Public Safety Committee meeting - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item, as amended.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted.

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 27, 2002

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS