

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

02-1030

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

PRESENT: [14] Miller, Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley, Fantroy,
Poss, Walne, Finkelman, Greyson, Rasansky, Lill
ABSENT: [1] Chaney absent on city business

The meeting was called to order at 9:28 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 pledge of allegiance was led by Councilmember Lois Finkelman.

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

After all business properly brought before the city council had been considered the city council adjourned at 3:14 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.

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

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1031

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: Anna Albers, 201 N. Edgefield Ave.
REPRESENTING: Trinity River Action Coalition
SUBJECT: Trinity River

SPEAKER: Roy Williams, 5881 Preston View Blvd.
REPRESENTING: Forty Acres and a Mule
SUBJECT: Abandonment of Cadillac Heights

SPEAKER: Randy Lynch, 4035 Mehalia St.
SUBJECT: Abandonment of Cadillac Heights

SPEAKER: Linda Bates, 7272 Marvin D. Love Frwy
SUBJECT: Corruption/DHA/City of Dallas/RSR Lead Smelter

SPEAKER: Alan Propper, 4800 W. Lovers Ln.
SUBJECT: Making the right animal shelter choice

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Alan Propper, 4800 W. Lovers Ln. **CANCELED**
SUBJECT: Making the right animal shelter choice

SPEAKER: John Stettler, 11028 Ridgemoor **CANCELED**
SUBJECT: City of Dallas help for schools

SPEAKER: Elton L. Horton, 4834 Alexander Ln. **CANCELED**
SUBJECT: Business Opportunities

SPEAKER: Harold Cox, 7415 Ridgewick Dr.
SUBJECT: Illegal dumping at Deepwood Street

SPEAKER: Carl Labry, 5421 Bryan St.
REPRESENTING: International Alliance for Theatrical Stage Employees
SUBJECT: Opposing tax abatement for Hillwood Development

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-1031

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: Mayor or Dallas/Chief of Police/DISD/FBI **NO SHOW**

SPEAKER: Michael Simmons, 2515 Lawrence St. **CANCELED**
REPRESENTING: Simmons Custom Painting
SUBJECT: Theft of Services by Madie Berry/Luis Arena/City of Dallas Housing

SPEAKER: Tom Gibbons, 7947 Cliffbrook Dr.
SUBJECT: Taxi Mechanical Safety

SPEAKER: Albert Parker, 9647 Oak Gate Ln.
REPRESENTING: John Q. Public
SUBJECT: Self proclaimed kangaroo court rules

SPEAKER: Jimmy Lee, 2915 Southland St. **NO SHOW**
REPRESENTING: Relief in the Community, Inc.
SUBJECT: One major food store for over 30,000 people

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Plantation politics

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1032

Item 1: Approval of Minutes of the February 13, and February 27, 2002.

Deputy Mayor Pro Tem Loza to approve the minutes.

Motion seconded by Councilmember Walne and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1033

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-65 was presented for consideration.

Councilmember Finkelman requested that consent agenda items 2, 10 and 38 be considered as individual items. Mayor Miller stated that consent agenda items 2, 10 and 38 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Rasansky requested that consent agenda items 13, 31, 37, 38, 45, 46 and 57 be considered as individual items. Mayor Miller stated that consent agenda items 13, 31, 37, 38, 45, 46 and 57 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky'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.

Mayor Miller requested that consent agenda items 56 and 59 be considered as individual items. Mayor Miller stated that consent agenda items 56 and 59 would be considered as individual items later in the meeting, there being no objection voiced to her request.

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

Councilmember Lill requested that consent agenda item 64 be considered as an individual item. Mayor Miller stated that consent agenda item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda with the exception of consent agenda items 2, 10, 13, 31, 37, 38, 39, 45, 46, 56, 57, 59, 61 and 64 would be considered later in the meeting.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1034

Item 2: Authorize a professional services contract with Wendy Lopez & Associates, Inc. dba LopezGarcia Group for the design, construction documents and construction administration for the Texas Buckeye Nature Trail - \$32,495 - Financing: 1998 Bond Funds (\$11,000 to be reimbursed from the Texas Parks & Wildlife Grant Funds)

Councilmember Finkelman requested that consent agenda item 2 be considered as an individual item. Mayor Miller stated that consent agenda item 2 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 2 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1035

Item 3: Authorize a professional services contract with RJN Group, Inc. to provide engineering services for an inflow and infiltration study in Joe's Creek drainage area generally bounded by I.H. 635, Harry Hines Boulevard, Northwest Highway, Inwood Road - \$1,723,934 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1036

Item 4: Authorize a contract with David Hickman for the design, fabrication and installation of an original sculpture to serve as an entry identifier for the main entrance to Redbird Airport (to be Dallas Executive Airport on May 1, 2002) - Not to exceed \$72,000 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1037

Item 5: Authorize a contract with Gregory Zeorlin for the design, fabrication and installation of an original 20' x 8' freestanding bronze plate screen with cut-out stylized vine patterns to be located outside the new outdoor dining area of the Visitors Pavilion at the Dallas Arboretum - Not to exceed \$66,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1038

Item 6: Authorize a contract for the construction of a new recreation center at Timberglen Park - Alshall Construction Company, lowest responsible bidder of eight - \$1,973,500
- Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1039

Item 7: Authorize a contract for the construction of a new playground including benches and sidewalk at Umphress Park - Southcrest Corporation, lowest responsible bidder of seven - \$50,977 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1040

Item 8: Authorize a contract for playground replacement at Kleberg/Rylie Park - Parks for Play, Inc., lowest responsible bidder of six - \$72,909 - Financing: 1998-99 Community Development Grant Funds (\$59,500) and 1999-00 Community Development Grant Funds (\$13,409)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1041

Item 9: Authorize (1) a contract for the construction of street paving, storm drainage, water and wastewater improvements on Oak Grove Avenue from Lemmon Avenue east to Cityplace Boulevard west, storm drainage improvements on Lemmon Avenue east from Noble Avenue to McKinney Avenue and streetscape/sidewalk improvements to be constructed along Noble Avenue, Cityplace Boulevard west, Lemmon Avenue east, and Oak Grove Avenue adjacent to this development located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas (Cityplace TIF District) with Gibson & Associates, Inc., lowest responsible bidder of five in an amount not to exceed \$833,078, (2) assignment of the construction contract to Fairfield Blackburn Limited Partnership for construction administration, (3) payment to Fairfield Blackburn Limited Partnership in an amount not to exceed \$70,926 for design, construction administration, and testing, (4) the amount of \$51,696 for street lighting improvements (5) the amount of \$4,300 for traffic control signage by city forces - \$960,000 - Financing: Private Funds (Advance from Fairfield Blackburn Limited Partnership to the Cityplace TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1042

Item 10: Authorize a contract for the construction of erosion control improvements on McCommas Branch at 7008 Alexander Drive - Craig Olden, Inc., lowest responsible bidder of two - \$84,500 - Financing: 1998 Bond Funds (\$35,579), 1995 Bond Funds (\$48,921)

Councilmember Finkelman requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda 10 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 10 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1043

Item 11: Authorize a contract for Asphaltic Concrete Street Resurfacing 2002 - Group 1 on various improved streets - Austin Bridge & Road, LP, lowest responsible bidder of six - \$5,720,167 - Financing: 1998 Bond Funds (\$4,321,550), Current Funds (\$1,334,061), Water Utilities Capital Construction Funds (\$64,556)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1044

Item 12: Authorize an increase in the contract with Dean Electric, Inc., dba Dean Construction to provide a fence at Butler-Nelson Cemetery and tennis court replacement at Tietze Park - \$146,737, from \$3,342,660 to \$3,489,397 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1045

Item 13: **Love Field Parking Garage Expansion**

- * Authorize Supplemental Agreement No. 5 to the contract with Hunt Construction Group, Inc. to increase the budget for general conditions for the Love Field Parking Garage Expansion - \$73,750, from \$3,147,810 to \$3,221,560, within the Guaranteed Maximum Price - Financing: No additional cost consideration for the City

Councilmember Rasansky requested that consent agenda item 13 be considered as an individual item. Mayor Miller stated that consent agenda item 13 would be considered as an individual later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 13 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1046

Item 14: **Love Field Parking Garage Expansion**

- * Authorize an increase in the contract with Thos. S. Byrne, Inc. for the Love Field Parking Garage Expansion project - \$174,284, from \$39,188,053 to \$39,362,337, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1047

Item 15: Authorize Supplemental Agreement No. 1 to the contract with Camp, Dresser & McKee, Inc. to provide engineering design improvements and construction services for the ozone disinfection facilities at the Bachman Water Treatment Plant, East Side Water Treatment Plant and the Abrams Ground Storage Reservoir - \$2,179,318, from \$4,297,734 to \$6,477,052 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1048

Item 16: Authorize the cancellation of the benefit assessment hearing to be held on April 24, 2002, that was previously authorized on February 27, 2002 by Resolution No. 02-0788, for sidewalk paving improvements on Preston Road from LBJ Freeway to Forest Lane in order to reflect the changes in the scope of the project and to restart the assessment process for these improvements - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1049

Item 17: Authorize the release of lien on Lot 10A, Block 17/5137, 4133 Dutton Drive due to the cancellation of the sidewalk replacement project by property owners - Financing:
No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1050

Item 18: Authorize rescinding the contract with Global Advantage, Inc. previously approved by the City Council on September 26, 2001, pursuant to Resolution 01-2792 for the replacement of sidewalks, curb and gutter, drive approaches, water and wastewater adjustments for Sidewalk Replacement Group 01-04 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1051

Item 19: Authorize (1) alley paving, storm drainage, water and wastewater main improvements for Alley Group 98-1117; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1052

Item 20: Authorize (1) street paving improvements on Bainbridge Avenue from Meadow Stone Lane to 700 feet south; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1053

Item 21: Authorize (1) street paving, storm drainage, water and wastewater main improvements on Cheyenne Road from Lake June Road to Checota Drive; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1054

Item 22: Authorize (1) sidewalk paving improvements on Forest Lane from LBJ Freeway to Audelia Road; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1055

Item 23: Authorize (1) street paving, storm drainage, water and wastewater main improvements for Street Group 98-431; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1056

Item 24: Authorize (1) street paving, storm drainage, water and wastewater main improvements for Street Group 98-433 (list attached); provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1057

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M. M. Berry and Leonard Berry of approximately 29,065 square feet of land for a permanent water easement and approximately 43,597 square feet of land for a temporary construction easement located near the intersection of Lancaster-Hutchins and Cleveland Roads for the Lancaster-Hutchins Road Water Main Project - \$5,318 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1058

Item 26: An ordinance abandoning a utility easement to Prescott Interests Midway Plaza, Ltd., the abutting owner, containing approximately 7,608 square feet of land located near the intersection of Midway and Harvest Hill Roads, 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. 24862.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1059

Item 27: Authorize the conveyance of 3 wastewater easements containing a total of approximately 8,191 square feet of land and 3 temporary working space easements containing a total of approximately 31,128 square feet of land to the Town of Sunnyvale for the construction and maintenance of 3 wastewater mains located near the intersection of State Highway 80 and Long Creek Road - Revenue: \$1,509

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1060

Item 28: Authorize the conveyance of a wastewater easement to the City of Rowlett containing approximately 11,863 square feet of land for the construction and maintenance of a wastewater main near Lake Ray Hubbard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1061

Item 29: Authorize the conveyance of a drainage easement containing approximately 4,901 square feet of land and a temporary working space easement containing approximately 12,196 square feet of land to the City of Rowlett for the construction and maintenance of storm water drainage facilities across City-owned land in the City of Rowlett located near the intersection of Sperling Lane and Lakeview Circle - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1062

Item 30: Declare 4 tracts of undevelopable City-owned land located near the intersection of Old Preston Court and Creek Hollow Drive unwanted and unneeded and authorize their sale to the abutting property owners - Revenue: \$51,015

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1063

Item 31: An ordinance granting a revocable license to AT&T Corp. for the continued use of certain public rights-of-way to maintain and operate an existing long distance telecommunication service system - Revenue: \$39,098 annually plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda 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 Rasansky's request.

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

Councilmember Lill moved to defer the item until the April 10, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Poss.

Later in the meeting, Mayor Miller stated that due to the availability of staff on April 10, 2002, staff requested a motion to place the item on the April 24, 2002 voting agenda meeting of the city council.

Deputy Mayor Pro Tem Loza moved to amend the original motion and defer the item until the April 24, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1064

Item 32: An ordinance granting a private license to Dick Peoples and Tana Trichel for the use of approximately 211 square feet of land to install and maintain an awning over a portion of Commerce Street right-of-way located near its intersection with Pearl Expressway - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24863.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1065

Item 33: An ordinance granting a revocable license to Maggiano's/Corner Bakery, L.P. for the use of approximately 42 square feet of land to install and maintain awnings and signs over portions of Elm and Ervay Streets right-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24864.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1066

Item 34: An ordinance closing and vacating a portion of Forbes Street, containing approximately 7,360 square feet of land located near the intersection of Routh and Flora Streets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24865.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1067

Item 35: Authorize a thirty-six-month price agreement for repair and replacement of truck and trailer springs with the lowest responsible bidder of two - Southwest International Trucks, Inc. - Not to exceed \$111,365 - Financing: Current Funds (\$96,010) and Water Utilities Current Funds (\$15,355)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1068

Item 36: Authorize a thirty-six-month service contract, with two twelve-month renewal options for crowd management services at Fair Park with the only bidder - D & L Entertainment Services, Inc. - City will receive 20% of gross revenues, less sales tax
- Estimated Annual Revenue: \$60,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1069

Item 37: Authorize a twenty-four-month price agreement for food for the birds, snakes and other reptiles at the Dallas Zoo with the lowest responsible bidders of five - Harlan Sprague Dawley, Inc., Texas Animal Specialties, The Gourmet Rodent, Professional Research & Referrals - Not to exceed \$608,534 - Financing: Current Funds

Councilmember Rasansky 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 Councilmember Rasansky's request.

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

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Oakley.

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

Voting Yes:	[13]	Miller, Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley, Fantroy, Poss, Walne, Finkelman, Greyson, Lill
Voting No:	[1]	Rasansky
Absent:	[1]	Chaney absent on city business

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1070

Item 38: Authorize a twenty-four-month price agreement to provide trees for the City of Dallas with the lowest responsible bidders of nine - Southwest Wholesale Nursery, Foster's Garden Center Landscapes, Inc., Miller Nursery & Tree, John Deere Landscapes - Not to exceed \$671,673 - Financing: Current Funds (\$362,615), Reforestation Funds (\$288,112), Water Utilities Current Funds (\$20,946)

Councilmember Finkelman moved to approve the item, with the understanding that the council will not look at expending any further reforestation funds until the council had some policy discussion as to how those monies are to be spent and what are the appropriate expenditures.

Motion seconded by Councilmember Garcia.

During discussion, Councilmember Finkelman requested that her motion to approve the item be withdrawn.

Mayor Miller stated that the motion to approve the item was withdrawn, there being no objection voiced to Councilmember Finkelman's request, and that the item was back on the table for debate at the end of the meeting.

Later in the meeting, Mayor Miller stated that the city manager requested that this item be deferred until the April 10, 2002 voting agenda meeting of the city council.

Councilmember Rasansky moved to defer the item until the April 10, 2002 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1071

Item 39: Authorize a thirty-six-month price agreement for irrigation parts and supplies with the lowest responsible bidders of two - Longhorn, Inc. and Professional Turf Prod. of TX, Inc. - Not to exceed \$559,918 - Financing: Aviation Current Funds (\$5,000), Current Funds (\$540,584), Water Utilities Current Funds (\$14,334)

Councilmember Greyson requested that consent agenda item 39 be considered as an individual item. Mayor Miller stated that consent agenda 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 Poss and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1072

Item 40: Authorize a twelve-month service contract for security guard services with the lowest responsible bidder of seven - Stanley Smith Security dba Initial Security - Not to exceed \$1,643,552 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1073

Item 41: Authorize settlement of a claim filed by Southwestern Bell Telephone Company,
Claim No. 95008526 - \$12,155 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1074

Item 42: Authorize settlement of a lawsuit, styled Nancy Carol Mensing and Christopher Mensing v. City of Dallas and Lajimian D. Blocker, Individually and as an Employee of the City of Dallas, Cause No. 01-02747-D - \$9,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1075

Item 43: Authorize settlement of a lawsuit, styled Stacy Martin, Individually and as Next Friend of Chelsea Howland, a minor v. Claude Henry Adams and City of Dallas, Cause No. cc-01-03121-c - \$8,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1076

Item 44: Authorize Supplemental Agreement No. 2 to the professional services contract with Taylormark Consulting, for additional consultant services necessary to upgrade the City Attorney's Office computer network - Not to exceed \$48,000, from \$19,000 to \$67,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1077

Item 45: 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 homeowners, Thomas D. Wilkins and Betty Wilkins, 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 (\$27,500) and Current Funds (\$22,500)

Councilmember Rasansky requested that consent agenda item 45 be considered as an individual item. Mayor Miller stated that consent agenda 45 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 45 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1078

Item 46: Authorize a loan agreement with Co-Op Supply which is located at 723 Exposition in the South Dallas/Fair Park Trust Fund target area to provide funding for the purchase of inventory and operating expenses - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds

Councilmember Rasansky 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 Rasansky's request.

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

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1079

Item 47: Authorize amendments to Resolution No. 01-2075 approved on June 27, 2001 to modify the provisions of the contract with Dallas CBD Enterprises to manage special supplemental services for improvement and promotion of the Dallas Downtown Improvement District to (1) correct the collection fee for assessment services for the collection of the special assessments to reflect the fee charged by Dallas County to perform such services and to reflect the costs to the city to provide management services provided by the City and (2) grant Dallas CBD Enterprises the ability to modify or substitute items without City Council approval within the program categories in the Service Plan if the increase and decrease in the amounts of the program categories do not exceed twenty percent (20%) of the budgeted amount for that category - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1080

Item 48: Authorize economic development grant agreements with seventeen community-based nonprofit agencies to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: (1) Girls, Inc. in an amount not to exceed \$20,000; (2) The Child Care Group in an amount not to exceed \$10,000; (3) St. Phillips Neighborhood Development Corporation in an amount not to exceed \$10,000; (4) Vision Regeneration in an amount not to exceed \$20,000; (5) Head Start of Greater Dallas in an amount not to exceed \$10,000; (6) The Science Place in an amount not to exceed \$10,000; (7) Renaissance CDC in an amount not to exceed \$20,000; (8) Communities in Schools in an amount not to exceed \$10,000; (9) Operation Relief CDC in an amount not to exceed \$15,000; (10) Holmes Street Foundation in an amount not to exceed \$15,000; (11) Vision of Hope Christian Counseling Center in an amount not to exceed \$15,000; (12) Friends of MLK in an amount not to exceed \$10,000; (13) Inner Community Development Corporation in an amount not to exceed \$20,000; (14) Skillful Living Center, Inc. in an amount not to exceed \$10,000; (15) Dallas Museum of Natural History in an amount not to exceed \$6,727; (16) Jeffries Street Learning Center in an amount not to exceed \$20,000; (17) St. Anthony Community Center in an amount not to exceed \$15,217 - Total not to exceed \$236,944 - Financing: South Dallas/Fair Park Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1081

Item 49: **Octavius, LLC/Davis Building** **Note:** Item Nos. 49, 50, & 51 must be considered collectively.

- * Rescind City Council Resolution Nos. 01-2095, 01-2096, previously approved on June 27, 2001 and 01-3042, previously approved on October 10, 2001, that amended a development agreement and a purchase and sale agreement with Octavius, LLC regarding the redevelopment of the Davis Building - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1082

Item 50: **Octavius, LLC/Davis Building** **Note:** Item Nos. 49, 50, & 51 must be considered collectively.

- * Authorize an amendment to Resolution No. 99-1432, previously approved on April 28, 1999 to amend the provisions of the development agreement to (1) allow a 30 percent reimbursement for the eligible facade improvements and infrastructure and landscaping improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$250,000; (2) amend the required development to conform with revised development plan that reduces the total private investment from \$45,000,000 to \$35,000,000 and modifies the building use; (3) amend the project completion date to June 30, 2004; and (4) change the contracting party from Octavius, LLC to Hamilton Davis, LLP - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1083

Item 51: **Octavius, LLC/Davis Building** **Note:** Item Nos. 49, 50, & 51 must be considered collectively.

- * Authorize an amendment to Resolution No. 99-1434, previously approved on April 28, 1999 to amend the provisions of the purchase and sale agreement to **(1)** amend the required development to conform with revised development plan that reduces the total private investment from \$45,000,000 to \$35,000,000 and modifies the building use; and **(2)** amend the project completion date to June 30, 2004; and **(3)** change the contracting party from Octavius, LLC to Hamilton Davis, LLP - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1084

Item 52: Authorize an amendment to Resolution Nos. 01-3354, 01-3355, previously approved on November 14, 2001 to change the entity from Fairfield Residential LLC to the newly created entity Fairfield Blackburn Limited Partnership - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1085

Item 53: Authorize the acceptance of \$10,000 and a Supplemental Agreement to the contract with the Texas Department of Health to increase funding for the Diabetes Awareness and Prevention Program for the period July 1, 2001 through June 30, 2002 - Not to exceed \$10,000, from \$44,000 to \$54,000 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1086

Item 54: Authorize Contract Renewal No. 1 with The Bethlehem Foundation for the provision of a family stabilization program that will address the problems of economically disadvantaged persons in the City of Dallas for the period of April 13, 2002 through April 30, 2003 - Not to exceed \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1087

Item 55: Authorize the acceptance of an amended Land Assembly Proposal for the property located at 4719 Live Oak from East Dallas Community Organization and execution of a correction deed and amended Deed Restrictions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1088

Item 56: Authorize (1) an amendment to the FY 2001-02 development agreement with Dallas Neighborhood Alliance for Habitat, a City of Dallas certified Community Housing Development Organization, to include additional funding for lot development cost for the Greenleaf Village project in West Dallas, in exchange for the City's sponsorship in the development of one single-family home located at 2553 Poincianna, and (2) establishment of appropriations in the amount of \$60,000 in Walker Trust Funds interest earnings for lot development cost for the Greenleaf Village project - \$60,000 - Financing: Walker Trust Funds

Mayor Miller requested that consent agenda item 56 be considered as an individual item. Mayor Miller stated that consent agenda item 56 would be considered as an individual item later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda item 56 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1089

Item 57: Authorize the reconstruction on site of one home in accordance with the Home Repair Program Statement requirements for the property located at 2416 Cadillac Drive - Not to exceed \$50,000 - Financing: 1999-00 HOME Funds

Councilmember Rasansky requested that consent agenda item 57 be considered as an individual item. Mayor Miller stated that consent agenda item 57 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 57 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to defer the item until the April 24, 2002 voting agenda meeting of the city council, contingent upon staff meeting with the homeowner to discuss whether or not relocation is a viable option.

Motion seconded by Councilmember Greyson and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1090

Item 58: Approval of a lease by the Hackberry Cultural Education Facilities Finance Corporation in an amount not to exceed \$2,250,000, specifically for satellite equipment, broadcasting equipment, computer equipment, studio furnishings, and software for the National Captioning Institute, Inc., to be located at 7610 Stemmons Freeway, Dallas, Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1091

Item 59: Authorize exemption from City of Dallas property taxation for travel trailers, as defined in Section 11.142 of the State Property Tax Code, effective with the 2002 tax year - Estimated Revenue Loss: No estimate available

Mayor Miller requested that consent agenda item 59 be considered as an individual item. Mayor Miller stated that consent agenda item 59 would be considered as an individual item later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda item 59 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1092

Item 60: Authorize adoption of the West Davis Land Use Study and approval of the recommendations contained therein as a guide in the implementation of future development along the West Davis Street corridor between Hampton Road and Walton Walker Boulevard (Loop 12) - Financing: No cost consideration to the City of Dallas

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1093

Item 61: An ordinance authorizing a correction to Ordinance No. 24543 which established an R-1/2ac(A) Single Family District on property on the west side of Kiwanis Road, south of Grady Niblo Road (Z978-220/8029-SW(LS) - Financing: No cost consideration to the City

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

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

Councilmember Housewright moved to defer the item until the April 10, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1094

Item 62: An ordinance authorizing a correction to Ordinance No. 24773 on property within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest side of Hondo Avenue, northeast of Harry Hines Boulevard to clarify the zoning change to a Multiple Family Subdistrict (Z001-253/11513-NE(WE) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24866.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1095

Item 63: Authorize the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a seat belt enforcement initiative, for the period May 20, 2002 through June 2, 2002, a City contribution of pension and FICA costs of \$20,358 and execution of the grant agreement - \$92,598 - Financing: Current Funds (\$20,358) Texas Department of Transportation Grant Funds (\$72,240)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1096

Item 64: An ordinance amending Chapter 28, Section 55, of the Dallas City Code to change restrictions of left turns in the Central Business District and deletion of Section 57 that currently require operators of parking lots in the Central Business District to post no left turn signs at their facility - Financing: No cost consideration to the City

Councilmember Lill requested that consent agenda item 64 be considered as an individual item. Mayor Miller stated that consent agenda item 64 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 64 was brought up for consideration.

Councilmember Lill moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24867.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1097

Item 65: Authorize submission of the list of candidate projects to the North Central Texas Council of Governments for the Transportation Equity Act for the 21st Century Program's Second Call for Projects, and authorize acceptance and implementation of the projects selected by the North Central Texas Council of Governments' Regional Transportation Council for the TEA-21 Program - Financing: The maximum amount available from the Transportation Equity Act for the 21st Century Program is \$49,000,000 and the City's match will not exceed 20 percent (\$9,800,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1098

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 66-67, was presented.

Agenda item 67 was removed from the consent zoning docket, to be considered as an individual hearing.

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

Agenda item 66: Zoning Case Z012-156 (WE)

~~Agenda item 67: Zoning Case Z012-157 (WE)~~

[Considered individually]

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

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

Motion seconded by Councilmember Walne and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1099

Item 66: Zoning Case Z012-156 (WE)

Zoning Case Z012-156 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1090 to allow for the expansion of Mitchell Elementary School on property zoned an R-7.5(A) Single Family District, on the northeast corner of Voss Road and Briargrove Lane.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24868.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1100

Item 67: Zoning Case Z012-157 (WE)

The consent zoning docket, consisting of agenda items 66-67, was presented.

Councilmember Greyson 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 Greyson's request.

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

A public hearing was called on zoning case Z012-157 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1200 to allow for the expansion of Rose Haggard Elementary School on property zoned an R-7.5(A) Single Family District, on the northeast corner of Campbell Road and Richwater Drive.

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

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

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

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24869.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1101

Item 68: Public Hearing - Zoning Case Z012-145 (EB)

A public hearing was called on zoning case Z012-145 (EB), application for a Specific Use Permit for a Commercial amusement (inside) use for a dance hall on property zoned a CR Community Retail District on Northwest Highway, east of Webb Chapel Extension.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1102

Item 69: Public Hearing - Zoning Case Z001-258 (RB) – Under Advisement

A public hearing was called on zoning case Z001-258 (RB), a City Plan Commission authorized hearing to determine proper zoning with consideration being given to the amendment or termination of Specific Use Permit No. 1433 for a Commercial bus station and terminal and an ordinance terminating Specific Use Permit No. 1433 on property presently zoned a CS Commercial Service District on West Davis Street, west of Westmoreland Avenue.

(The city plan commission recommended termination of Specific Use Permit No. 1433. This item was considered by the City Council at a public hearing on January 9, 2002, and was taken under advisement until March 27, 2002, with the public hearing open.

Appearing in opposition to the city plan commission recommendation:

Eli Martinez, 2133 Monteleon St., Grand Prairie, TX, representing El Conejo
Carlos Quintanilla, 3346 Jubilee Trl.

Appearing in favor of the city plan commission recommendation:

Barbara Barbee, 303 N. Barnett Ave., representing Beverly Hills Neighborhood Association

Councilmember Garcia moved to close the public hearing, refer the item back to city plan commission for further analysis and consideration of the hours of operation between the neighborhood association and El Conejo bus lines.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1103

Item 70: Public Hearing - Zoning Case Z012-104 (RB)

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

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

Councilmember Thornton Reese moved to postpone the application until the June 12, 2002 voting meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1104

Item 71: Public Hearing - Zoning Case Z012-128 (RB)

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

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.

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

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

Motion seconded by Councilmember Greyson and unanimously adopted. (Walne abstain; Chaney absent on city business)

Assigned ORDINANCE NO. 24870.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1105

Item 72: Public Hearing - Zoning Case Z990-265 (RB)

A public hearing was called on zoning case Z990-165 (RB), an application for and a resolution authorizing acceptance of a deed restriction instrument amending the existing deed restrictions for Area C on the subject site to amend the restrictions regarding signs, on property zoned a CR Community Retail District on the southwest corner of Dallas North Tollway and Frankford Road.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on February 13, 2002, and was taken under advisement until March 27, 2002, with the public hearing open.)

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

Councilmember Greyson 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 Poss and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1106

Item 73: Public Hearing - Zoning Case Z001-259 (FD)

A public hearing was called on zoning case Z001-259 (FD), an application for and an ordinance granting a Planned Development District for a Mini-warehouse Use and CR Community Retail District Uses on property presently zoned a CR-D Community Retail-Dry District on the northwest corner of Military Parkway and St. Augustine Road.

(The city plan commission recommended approval subject to a conceptual plan, a development/landscape plan and conditions. This item was considered by the City Council at a public hearing on November 14, 2001, and was held under advisement until March 27, 2002, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

Deborah Krouper, (no address given) representing United Housing Program

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

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

Motion seconded by Councilmember Greyson and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1107

Item 74: Public Hearing - Zoning Case Z001-255 (RB)

A public hearing was called on zoning case Z001-255 (RB), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an NS(A)-D-1 Neighborhood Service-Dry-1 District on Casa Grande Drive between Seagoville Road and Rim Rock Road.

(The city plan commission recommended approval with retention of the D-1 Liquor Control Overlay District on that portion of the request site zoned an NS(A)-D-1 Neighborhood Service-Dry-1 District. This item was considered by the City Council at a public hearing on February 13, 2002, and was taken under advisement until March 27, 2002, with the public hearing open and that it be sent back to the City Plan Commission for further review.

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

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

Motion seconded by Councilmember Rasansky and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24871.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1108

Item 75: Public Hearing - Zoning Case Z012-108 (FD)

A public hearing was called on zoning case Z012-108 (RD), an application for and an ordinance granting an amendment to Planned Development District No. 317, the Cedars Special Purpose District to create a new subdistrict for mixed uses in an area generally bounded by Belleview Street, the M.K. & T. Railroad, Austin Street, Cadiz Street, Powhatten Street and Lamar Street.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on February 13, 2002, and was taken under advisement until March 27, 2002, with the public hearing open.)

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

Deputy Mayor Pro Tem Loza moved to close the public hearing, accept the recommendation of the city plan commission, with the following changes:

Amend the definition and regulations for Enhanced Pedestrian Amenities to allow placement of such amenities in pedestrian walkways along property line and on private property along the street frontage, up to 30 feet from the curb.

Amend Commercial Amusement (Inside) use by right rather than by SUP; and pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24872.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1109

Item 76: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing for sidewalk paving for Sidewalk Group 98-114, and upon closure of the hearing, authorize a contract for the construction with Roadway Engineering & Construction, Inc., lowest responsible bidder of five - \$246,522 - Financing: 1998 Bond Funds (\$242,502), Water Utilities Capital Construction Funds (\$4,020)

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

Councilmember Fantroy moved to close the public hearing and authorize the contract.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1110

Item 77: Miscellaneous Hearing

A public hearing 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 from "job creation" 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

The following individual addressed the city council regarding the proposed change:

Albert Parker, 9647 Oak Gate Ln., representing John Q. Public

Councilmember Lill moved to close the public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1111

Item 78: Miscellaneous Hearing

A public hearing to receive citizens' comments in preparation of the FY 2002-03 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the FY 2002-03 Operating, Capital, Grant and Trust budgets:

James Cowgill, 11357 Earlywood Dr., representing Senior Affairs Commission
Virgil St. Clair, 9952 Vistadale Dr., representing Senior Affairs Commission

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

Motion seconded by Councilmember Poss and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1112

Item 79: 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 March 27, 2002.

The following individual addressed the city council regarding consideration of appointments to boards and commissions:

Marvin Crenshaw, 5134 Malcolm X Blvd., representing Thirteen Presenters

Deputy Mayor Pro Tem Loza 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 Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

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

02-1125 EHC ENVIRONMENTAL HEALTH COMMISSION
02-1126 HFC HOUSING FINANCE CORPORATION BOARD
02-1127 HSC HUMAN SERVICES COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1113

Item 80: Authorize a one-time pro rata payment of Service Incentive Pay for employees involuntarily terminated as a result of a reduction in force due to FY 2001-02 budgetary constraints

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Thornton Reese voting "No". (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1114

Item 81: An ordinance amending Chapter 34 of the Dallas City Code effective April 1, 2002, to significantly revise the provisions of the Personnel Rules for definitions; terms for appointment, reappointment, transfer, promotion, probation, discipline, and termination; provisions for work schedules, compensation, benefits, leave policies; provisions for qualifications, deadlines, requirements, and procedures relating to appeals from grievance decisions and disciplinary actions; provisions for benefits, including wage supplementation for injured City employees; and certain nonsubstantive provisions - Financing: No cost consideration to the City

The following individual addressed the city council regarding Chapter 34 of the Dallas City Code:

Wilma Banner, 517 N. Colony, The Colony

Councilmember Walne moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24873.

[Councilmember Lill requested that the city attorney provide the city council, within the next 30 days, with the amendment that corrects the issue from 1994 for the parallel rules on discrimination based on the basis of sexual orientation.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1115

Item 82: An ordinance appointing Linda A. Hale, Aaron S. Kaufman, and Ruth Catherine Logan as associate (part-time) municipal judges for the City of Dallas municipal court of record for a term ending May 31, 2002 - Financing: No additional cost consideration to the City

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24874.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1116

Item 83: Authorize adoption of the Cedars Area Plan to serve as a policy guide for future decisions in Planned Development District No. 317, the Cedars Special Purpose District, regarding land use, zoning, urban design, transportation, and other miscellaneous issues - Financing: No cost consideration to the City

The following individual addressed the city council regarding the Cedars Area Plan:

Chuck Russell, 6008 Martel Ave., representing George Macatee/City Industries

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1117

Item 84: An ordinance abandoning a water easement and sanitary sewer easements to LL Property Partners, L.P., the abutting owner, containing a total of approximately 2,460 square feet of land located near the intersection of Lovers Lane and Bluffview Boulevard, providing for the dedication of new water and wastewater easements, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Lill moved to defer the ordinance until the April 24, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1118

Closed Session

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

- City of Dallas v. Explorer Pipeline Company, Inc., et al., 160th Judicial
District, Dallas County, Texas, Cause No. 00-09678

The posted executive session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1119

Addendum addition 1: An ordinance amending Ordinance No. 24114 to provide for consideration to be paid to the City to remove the requirement to dedicate private drives in exchange for the abandoned Liberty Street and Allen Street rights-of-way near the intersection of Ross Avenue - Revenue: \$119,927 plus the \$20 ordinance publication fee

Councilmember Lill moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24875.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1120

Addendum addition 2: An ordinance abandoning a portion of a drainage easement to GalTex, LLC, the abutting owner, containing approximately 5,675 square feet of land located near the intersection of Forest Lane and North Central Expressway, authorizing the quitclaim and providing for the dedication of a new drainage easement - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Finkelman moved to pass the ordinance.

Motion seconded by Councilmember Greyson and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24876.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1121

Addendum addition 3: An ordinance abandoning an alley to Charles V. Grahmann, Bishop of the Roman Catholic Diocese of Dallas, the abutting owner, containing approximately 4,328 square feet of land near the intersection of Saner and Harlandale Avenues and providing for the quitclaim - Revenue: \$3,311 plus the \$20 ordinance publication fee

Councilmember Poss moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business)

Assigned ORDINANCE NO. 24877.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1122

Addendum addition 4: A resolution encouraging the Dallas Area Rapid Transit Board of Directors to endorse a minimum of two-thirds Dallas Area Rapid Transit and a maximum of one-third City of Dallas joint funding commitment for the additional cost of modifying the preferred Northwest Corridor light rail transit alternative alignment to place a light rail transit station in the Love Field Airport terminal at an additional estimated project cost of \$160,000,000 (City's match will not exceed \$52,800,000) - Financing: This action has 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 Lill and unanimously adopted. (Fantroy abstain; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1123

Addendum addition 5: Authorize (1) four contracts for construction materials and services for the Latino Cultural Center in an amount not to exceed \$491,209, within the Guaranteed Maximum Price, 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 left the city council chamber.

Councilmember Lill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Rasansky abstain; Chaney absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 27, 2002

02-1124

Addendum addition 6: Authorize (1) an amendment to the 2002 City Council Calendar to add a City Council meeting on April 8, 2002 at Dallas City Hall in the Council Chambers at 6:00 p.m. and (2) a public hearing to be held on April 8, 2002 at Dallas City Hall in the Council Chambers at 6:00 p.m. to receive citizens' comments in preparation for the proposed City Charter Review - Financing: No cost consideration to the City

Councilmember Lill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

Deputy Mayor Pro Tem Loza moved to reconsider addendum addition 6 to add the end of the meeting time of 9:00 p.m.

Motion seconded by Councilmember Finkelman.

After discussion, Mayor Miler stated that since a vote had not been called on the motion to reconsider addendum addition 6, to add the end of the meeting time of 9:00 p.m.; the original motion to begin the public hearing on April 8, 2002 at 6:00 p.m. stands as previously voted on.

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

EXHIBIT C