

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 8, 2002

02-1450

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 9:24 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 Alexander Waldrof and Elizabeth Waldrof, Northwood Hills Elementary.

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 7:23 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, MAY 8, 2002

EXHIBIT A

5/22/0210:25 AM
G:\2002MIN\CC050802.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 8, 2002

EXHIBIT B

5/22/02 10:25 AM
G:\2002MIN\CC050802.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1451

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Roy Williams, 5881 Preston View Blvd.
REPRESENTING: 40 Acres and a Mule
SUBJECT: 100,000 per household in Cadillac Heights

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

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

SPEAKER: Elijah McGrew, 9524 Military Pkwy.
SUBJECT: Ethics Commission/Citizen Review Board/Subpoena power

SPEAKER: Lashawn Roberts, 1920 Dolores Way
SUBJECT: Drug houses in South Dallas

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Harold Cox, 7415 Ridgewick Dr. **CANCELED**
SUBJECT: Illegal dump at Jim Miller and Deepwood St.

SPEAKER: Jimmy Lee, 2611 Peabody Blvd.
REPRESENTING: Relief in the Communities
SUBJECT: Police are not looking

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-1451

Page 2

SPEAKER: Buddy Mohamed, 1426 S. Marlborough Ave.
SUBJECT: Illegal detaining of U.S. citizens in Israel

SPEAKER: Evelyn Daniel, 902 N. Marsalis Ave. **NO SHOW**
SUBJECT: Monetary compensation for illegal violation

SPEAKER: Hadi Jawad, 13109 Roanoke Rd., Westlake, TX
SUBJECT: Palestine crisis

SPEAKER: Rula Bibi, 1408 Baltimore Dr., Richardson, TX
SUBJECT: Israeli aggression

SPEAKER: Diana Mohsene, 816 Bronco Ln., Plano, TX
SUBJECT: Mid-East conflicts

SPEAKER: Bassam Elkhtib, 1125 Nickerson Ln., Plano, TX **CANCELED**
SUBJECT: Palestinian crisis

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Racism against DPD/KKK/South West Station/DISD/FBI

SPEAKER: Marvin Crenshaw, 5134 Malcolm X. Blvd.
REPRESENTING: Thirteen Precenters
SUBJECT: J.B. Jackson, Jr./Elsie Fay Heggins,/Jenin

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: The genocide of poor black people in Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1452

Item 1: Approval of Minutes of the April 24, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1453

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-29 was presented for consideration.

The city secretary announced that the city attorney requested that consent agenda items 21 and 22 be delayed until the city council has been briefed.

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda items 2 and 19 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Greyson requested that consent agenda items 5 and 20 be considered as individual items. Mayor Miller stated that consent agenda items 5 and 20 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Rasansky requested that consent agenda items 7, 12, and 15 be considered as individual items. Mayor Miller stated that consent agenda items 7, 12 and 15 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Chaney requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Poss moved to approve all items on the consent agenda with the exception of consent agenda item 2 and 19, which were deferred, and consent agenda items 5, 7, 12, 15, 20, 21, 22 and 29 and would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1454

Item 2: Authorize a professional services contract with GSR Andrade Architects, Inc. to provide design services for the renovation of the Winfrey Point Building at White Rock Lake Park - \$24,250 - Financing: 1998 Bond Funds

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda item 2 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1455

Item 3: Authorize a contract for the enlargement of existing equipment door openings and miscellaneous structural modifications at Fire Station 37 located at 6742 Greenville Avenue, Fire Station 41 located at 5920 Royal Lane, Fire Station 43 located at 2844 Lombardy Lane, and Fire Station 49 located at 4901 S. Hampton Road - ICE Contractors, Inc., lowest responsible bidder of four - \$53,333 - Financing: Capital Construction Funds (\$32,543), Current Funds (\$20,790)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1456

Item 4: Authorize a contract for playground improvements at Alta Mesa and Bitter Creek Parks - Parks for Play, Inc., lowest responsible bidder of six - \$121,646 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1457

Item 5: Authorize a contract for site improvements including a walking trail, berms, grass, irrigation, security lights, and trees at Friendship Park - A S Construction, lowest responsible bidder of nine - \$69,345 - Financing: 1998 Bond Funds

Councilmember Greyson requested that consent agenda item 5 be considered as an individual item. Mayor Miller stated that consent agenda item 5 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 5 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1458

Item 6: Authorize a contract for the replacement of water and wastewater mains in 19 various locations in an area bounded by U.S. Hwy. 75, Carroll Avenue, I.H. 30E, I.H. 30W, I.H. 635, I.H. 20 and Hampton Road - Hall-Albert Construction Company, lowest responsible bidder of five - \$4,033,834 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1459

Item 7: Authorize Supplemental Agreement No. 1 to the contract with Secure Concepts, Inc. to incorporate additional design services for a fire alarm system at the Old City Park located at 1717 Gano Street - \$24,408, from \$30,825 to \$55,233 - Financing: Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 7 be considered as an individual item. Mayor Miller stated that consent agenda item 7 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 7 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1460

Item 8: Authorize an increase in the contract with Eagle Construction and Environmental Services, L.P. for additional improvements to the White Rock Dam and Spillway - \$414,188, from \$2,316,942 to \$2,731,130 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1461

- Item 9: Authorize (1) sidewalk paving improvements for Sidewalk Group 98-115; 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 June 12, 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

May 8, 2002

02-1462

Item 10: Authorize the deposit of a Special Commissioners' Award for acquisition from the Jo An Yee Trust of approximately 509 square feet of land improved with landscaping located at the intersection of Eastridge Drive and Ridgecrest Road, needed for Eastridge Drive improvements - \$14,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1463

Item 11: Authorize an amendment of the existing lease with Texas Utilities Electric Company to (1) reflect the corporate name change to TXU Corporation, (2) increase the area of leased land at Hensley Field from approximately 10 acres to approximately 12 acres, and (3) increase the annual rental payment in the amount of \$10,004, from \$367,855 to \$377,859 - Revenue: \$10,004 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1464

Item 12: Authorize a ten-year lease agreement with the United States of America, General Services Administration for the continued use of approximately 3,043 square feet of land for an outdoor playground located near the intersection of Houston Street and Reunion Boulevard for the period of April 1, 2002 through March 31, 2003 (\$12,172); April 1, 2003 through March 31, 2004 (\$12,476); April 1, 2004 through March 31, 2005 (\$12,788); April 1, 2005 through March 31, 2006 (\$13,108); April 1, 2006 through March 31, 2007 (\$13,436); April 1, 2007 through March 31, 2008 (\$13,771); April 1, 2008 through March 31, 2009 (\$14,116); April 1, 2009 through March 31, 2010 (\$14,469); April 1, 2010 through March 31, 2011 (\$14,830); April 1, 2011 through March 31, 2012 (\$15,201) - Revenue: \$136,367

Councilmember Rasansky requested that consent agenda item 12 be considered as an individual item. Mayor Miller stated that consent agenda item 12 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 12 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1465

Item 13: An ordinance to reauthorize (1) declaring a tract of vacant City-owned land containing approximately 323,669 square feet located near the intersection of Audelia Road and Walnut Street unwanted and unneeded and (2) the direct sale to Richardson Independent School District for the construction of an elementary school - Revenue: \$1,300,000

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24918.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1466

Item 14: Authorize a twenty-four-month service contract for scrap tire removal with the lowest responsible bidders of four - Safe Tire Disposal Corporation of Texas and Silver Creek Materials, Inc. - Not to exceed \$275,750 - Financing: Current Funds (\$270,250), Water Utilities Current Funds (\$5,000), Aviation Current Funds (\$500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1467

Item 15: Authorize a thirty-six-month service contract to provide outpatient substance abuse counseling services for adolescents in the City of Dallas with the most advantageous proposer of three - Holmes Street Foundation, Inc. - Not to exceed \$225,000 - Financing: Current Funds (subject to annual appropriations)

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.

Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1468

Item 16: Authorize a thirty-six-month price agreement for the purchase of popular books for the Dallas Public Library with the lowest responsible bidder of two - Ingram Library Services, Inc. - Not to exceed \$422,680 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1469

Item 17: Authorize a thirty-six-month service contract for hazardous and non-hazardous material clean-up and disposal services with the lowest responsible bidders of three - Green Planet, Inc. and Boots and Coots Special Services - Not to exceed \$407,125 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1470

Item 18: Authorize the purchase of a flow injection analyzer with the lowest responsible bidder of two - Lachat Instruments-Hach Company - Not to exceed \$77,870 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1471

Item 19: Ratify emergency repair and upgrade of the original fire alarm system at the Dallas Museum of Art - \$224,755 - Financing: Capital Construction Funds

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda item 19 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1472

Item 20: An ordinance amending Chapter 27 of the Dallas City Code, to define terms; to provide for civil penalty assessment hearings before the Urban Rehabilitation Standards Board and for the enforcement of civil penalties; to authorize personal delivery of notices of board orders; to authorize a hearing panel to make decisions by a majority vote and to make certain nonsubstantive changes - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 20 be considered as an individual item. Mayor Miller stated that consent agenda item 20 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 20 was brought up for consideration.

Councilmember Greyson moved to amend the ordinance to have a conferring vote of at least 80% of members present.

After discussion, Councilmember Greyson withdrew her motion.

Councilmember Lill moved to defer the ordinance until the full city council has been briefed and for action taken before the council recesses for the summer.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1473

Item 21: Authorize payment of a judgment entered in James T. Allen v. City of Dallas, Cause No. DV98-05171-C - \$145,670 - Financing: Current Funds

The city secretary announced that the city manager requested to delay consent agenda item 21 until the city council has been briefed.

Later in the meeting agenda item 21 was brought for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1474

Item 22: Authorize Supplemental Agreement No. 2 to the professional services contract with Jones & Boyd, Inc., for additional engineering services and related expenses necessary in the lawsuit, styled Golden Harvest Company Inc., N.H.T. Partnership, and Kaufman County Levee Improvement District #15 v. City of Dallas, Cause No. 42,765, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$40,000, from \$65,000 to \$105,000 - Financing: Current Funds

The city secretary announced that the city manager requested to delay consent agenda item 22 until the city council has been briefed.

Later in the meeting agenda item 22 was brought for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1475

Item 23: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P. for additional legal services and related expenses necessary in the lawsuit styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$175,000, from \$415,000 to \$590,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1476

Item 24: Authorize an assignment of the tax abatement agreement with DFW/Wheatland Investors, L.P. and PETsMART, Inc., executed pursuant to Resolution No. 98-2742, to John and Diana Volmer and PETsMART, Inc. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1477

Item 25: Authorize Supplemental Agreement No. 2 to the Interlocal Agreement between the City of Dallas and Dallas County Health and Human Services Department to extend the term of the AIDS Investigation Program through September 30, 2002 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1478

Item 26: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with University of North Texas to extend the term of the contract through September 30, 2002 to allow completion of an evaluation of the case management component of Project FOCUS at the West Dallas Multipurpose Center - Not to exceed \$1,590 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1479

Item 27: Authorize a public hearing to be held on May 22, 2002 to receive citizens' comments and authorize Council action on May 22, 2002, on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1480

Item 28: Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for and acceptance of the 2002 Juvenile Accountability Incentive Block Grant to further develop and provide enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding with all participating jurisdictions - \$955,373 - Financing: Juvenile Accountability Incentive Block Grant Funds (\$859,836) and Current Funds (\$95,537)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1481

Item 29: Authorize reimbursement from the South Dallas Weed and Seed Operation, for overtime expenditures and equipment purchases related to the Weed and Seed area of South Dallas, for the period October 1, 2001 through September 30, 2002, a City contribution of pension and FICA costs of \$9,652 and grant funds reimbursement - \$59,652 - Financing: Current Funds (\$9,652) U.S. Department of Justice, Office of Justice Programs Funds, Executive Office of Weed and Seed (\$50,000) (Reimbursed through the South Dallas Weed and Seed Operation)

Councilmember Chaney requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 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 29 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1482

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 30-35, was presented.

Agenda items 30, 32, and 34 were 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 30: Zoning Case Z012-168 (RB)	[Considered individually]
Agenda item 31: Zoning Case Z012-166 (EB)	
Agenda item 32: Zoning Case Z012-173 (WE)	[Considered individually]
Agenda item 33: Zoning Case Z012-176 (EB)	
Agenda item 34: Zoning Case Z012-177 (WE)	[Considered individually]
Agenda item 35: Zoning Case Z012-180 (WE)	

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

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

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

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1483

Item 30: Zoning Case Z012-168 (RB)

The consent zoning docket, consisting of agenda items 30-35, was presented.

Sherrell Cockrell, director of planning, requested that consent zoning docket item 30 be removed from the consent zoning docket, to be called as an individual hearing, because in accordance with subparagraph (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that a written protest against the change in zoning had been signed by the owners of 20 percent of more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of planning.

Mayor Miller stated that consent zoning docket item 30 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z012-168 (RB), an application for and an ordinance granting a Planned Development District for a Private school, Child-care facility and R-1/2ac(A) Single Family District Uses, on property zoned an R-1/2ac(A) Single Family District on the northeast corner of Inwood Road and Northaven Road, and termination of Specific Use Permit No. 978 for a Private school and Day care center for that portion encompassing the request site.

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

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 Z012-168 (RB):

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 24919 and ORDINANCE NO. 24920.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1484

Item 31: Zoning Case Z012-166 (EB)

Zoning Case Z012-166 (EB), a City Plan Commission authorized hearing to determine proper zoning on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side Holmes Street, southeast of Pennsylvania Avenue, and an ordinance granting an NC Neighborhood Commercial Subdistrict.

(The city plan commission recommended approval of an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24921.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1485

Item 32: Zoning Case Z012-173 (WE)

The consent zoning docket, consisting of agenda items 30-35, were presented.

Councilmember Thornton Reese requested that consent zoning docket item 32 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 32 would be removed from the consent zoning docket to be called as an individual hearing, there being objection voiced to Councilmember Thornton Reese' request.

Later in the meeting, consent zoning docket item 32 was brought up for consideration.

A public hearing was called on zoning case Z012-173 (WE), an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR-D Community Retail-Dry District, on the north side of Scyene Circle, between Buckner Boulevard and Pleasant Drive.

(The city plan commission recommended approval of R-5(A) Single Family Residential District with retention of the Dry Overlay)

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

Appearing in favor of the city plan commission recommendation:

Vernon Smith Jr., 3131 Maple Ave., representing MRL Construction

Councilmember Thornton Reese moved to postpone the application until the May 22, 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1486

Item 33: Zoning Case Z012-176 (EB)

Zoning Case Z012-176 (EB), an application for and an ordinance granting an R-5(A) Single Family District on property zoned an MF-2(A) Multifamily District and an NO(A) Neighborhood Office District on Illinois Avenue between Walton Walker Boulevard and Duncanville Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24922.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1487

Item 34: Zoning Case Z012-177 (WE)

The consent zoning docket, consisting of agenda items 30-35, were presented.

Councilmember Finkelman requested that consent zoning docket item 34 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 34 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, consent zoning docket item 34 was brought up for consideration.

A public hearing was called on zoning case Z012-177 (WE), an application for and an ordinance granting an MU-3 Mixed Use District on property zoned a GO(A) General Office District, on the northwest corner of LBJ (635) and North Central Expressway (I-75).

(The city plan commission recommended approval.)

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

Appearing in favor of the city plan commission recommendation:

Barry Knight, 5415 Renaissance Tower, representing the applicant

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

“Subject to deed restrictions volunteered by the applicant with the ordinance approving the zoning change and the resolution accepting the deed restrictions to return at a later date.”

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1488

Item 35: Zoning Case Z012-180 (WE)

Zoning Case Z012-180 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 458 for Mini-warehouse uses and certain MU-1 (SAH) Mixed Use District uses on property zoned Planned Development District No. 458, on the southeast corner of Inwood Road and Willow Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24923.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1489

Item 36: Public Hearing – Zoning Case Z012-123 (SR)

A public hearing was called on a City Plan Commission authorized hearing to determine proper zoning on property zoned CA-1(A)-CP Central Area District - Core Pedestrian Precinct and CA-1(A)-SP Central Area District - Secondary Pedestrian Precinct and generally bounded by Pacific Avenue, Harwood Street, Jackson Street, and Griffin Street and an ordinance creating a Planned Development District for mixed uses.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on April 10, 2002, and April 24, 2002, and was taken under advisement until May 8, 2002, with the public hearing open.)

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.

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

The following individual addressed the city council regarding zoning case Z012-123 (SR):

William Hopkins, 2011 Leath St.

Deputy Mayor Pro Tem Loza moved to postpone the application until the June 12, 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. (Fantroy abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1490

Item 37: Public Hearing - STREET NAME CHANGE - INDIVIDUAL

Sherrell Cockrell, director of planning, reminded the city council that in accordance with subparagraph (c)(2)(A) of Section 51A-4.701 of the development code, council approval of the street name change would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for approval by the city plan commission.

A public hearing was called on a proposal to change the street name of Cedar Springs Road between Bowen Street and Gillespie Street to Turtle Creek Boulevard and an ordinance granting the street name change.

(The city plan commission recommended approval.)

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

Appearing in favor of the city plan commission recommendation:

Bill Dahlstrom, 1445 Ross Ave., representing the applicant

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

“Waive the requirements of Section 51A-9.304(a)(2), Section 51A-9.304(a)(5), and Section 51A-9.304(b)(1) of the Development Code” and pass the ordinance.

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

Assigned ORDINANCE NO. 24924.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1491

Item 38: Public Hearing - SPECIAL PROVISION SIGN DISTRICT AMENDMENT - UNDER ADVISEMENT INDIVIDUAL

A public hearing was called on an application for and an ordinance granting an amendment to Article VII "Sign Regulations" of Chapter 51A of the Dallas Development Code to revise regulations for the Downtown Special Provision Sign District to create a new sub district generally bounded by Pacific Avenue, Harwood Street, Jackson Street, and Griffin Street.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on April 10, 2002, and was taken under advisement until May 8, 2002, with the public hearing open.)

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

Appearing in favor of the city plan commission recommendation:

Susan Mead, 1623 Main St., representing Downtown Partnership

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

"That the boundary of the Main Street subdistrict be changed in the boundary of Pegasus Plaza" and pass the ordinance.

Motion seconded by Councilmember Lill and unanimously adopted.

Assigned ORDINANCE NO. 24925.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1492

Item 39: Public Hearing - SPECIAL PROVISION SIGN DISTRICT AMENDMENT - UNDER ADVISEMENT INDIVIDUAL

A public hearing was called on an application for and an ordinance granting an amendment to Section 51A-7.930, "Supergraphic Signs," of Division 51A-7.900, Downtown Special Provision Sign District of Article VII, "Sign Regulations" of Chapter 51A of the Dallas Development Code

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on April 10, 2002, and was taken under advisement until May 8, 2002, with the public hearing open.)

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

The following individual addressed the city council regarding the Supergraphic Signs:

William Hopkins, 2011 Leath St.

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

1. "Add a new Section 2 to the ordinance to read as follows: That Section 1 of this ordinance shall not apply to properties for permits or supergraphics signs which were issued before May 13, 2002, those properties shall continue to be governed by Section 51A-7.930 Dallas City Code as that section existed immediately before the passage of this ordinance
2. Re-number the subsequent sections accordingly" and pass the ordinance.

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 24926.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1493

Item 40: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for street paving improvements on Bainbridge Avenue from Meadow Stone Lane to 700 feet south, and at the close of the hearing, authorize a contract for the construction with Camino Construction, Inc., lowest responsible bidder of five - \$91,068 - Financing: 1998 Bond Funds.

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

The following individual addressed the city council regarding the street paving improvements:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1494

Item 41: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for alley paving, storm drainage, water and wastewater main improvements for Alley Group 98-1117, and at the close of the hearing, authorize a contract for the construction with P & E Contractors, Inc., lowest responsible bidder of three - \$453,087 - Financing: 1998 Bond Funds (\$239,407), Water Utilities Capital Improvement Funds (\$195,180), Water Utilities Capital Construction Funds (\$18,500).

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

The following individuals addressed the city council regarding the wastewater main improvements:

William Hopkins, 2011 Leath St.
Brady Trigg, 8773 Ferndale Ave.

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

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1495

Item 42: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-431, and at the close of the hearing, authorize a contract for the construction with Jeske Construction Company, lowest responsible bidder of three - \$1,403,665 - Financing: 1998 Bond Funds (\$1,163,737), Water Utilities Capital Improvement Funds (\$206,473), Water Utilities Capital Construction Funds (\$33,455).

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

The following individual addressed the city council regarding the wastewater main improvements:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1496

Item 43: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-433, and at the close of the hearing, authorize a contract for the construction with Camino Construction, Inc., lowest responsible bidder of four - \$598,228 - Financing: 1998 Bond Funds (\$449,841), Water Utilities Capital Improvement Funds (\$141,712), Water Utilities Capital Construction Funds (\$6,675)

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

The following individual addressed the city council regarding the wastewater main improvements:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1497

Item 44: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for sidewalk paving improvements on Forest Lane from LBJ Freeway to Audelia Road and at the close of the hearing, authorize a contract for the construction with Vas Engineering Construction Company, lowest responsible bidder of eight - \$83,000 - Financing: Capital Assessment Funds.

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

Appearing in favor of the proposed improvements or the assessments:

Cindy Kemp, 9690 Forest Ln.

The following individual addressed the city council regarding the sidewalk paving improvements:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Oakley and unanimously adopted.

OFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1498

Item 45: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for street paving, storm drainage, water and wastewater main improvements on Cheyenne Road from Lake June Road to Checota Drive, and at the close of the hearing, authorize a contract for the construction with McMahon Contracting, lowest responsible bidder of nine - \$851,723 - Financing: 1998 Bond Funds (\$694,520), Water Utilities Capital Improvement Funds (\$143,878), Water Utilities Capital Construction Funds (\$13,325).

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

The following individual addressed the city council regarding the wastewater main improvements:

William Hopkins, 2011 Leath St.

Mayor Pro Tem Hill moved to close the public hearing and authorize the contract.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1499

Public Hearing - **Sales of Unimproved Properties**

- Item 46: * A public hearing to receive citizens' comments on the proposed private sale by quitclaim deed of 4 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to SouthFair Community Development Corporation, a qualified non-profit organization - Financing: No cost consideration to the City
- Item 47: * Authorize the private sale, as provided for by Section 34.015 of the Texas Property Tax Code, by quitclaim deed of 4 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to SouthFair Community Development Corporation, a qualified non-profit organization - Revenue: \$4,273

The following individuals addressed the city council regarding the Sales of Unimproved Properties:

William Hopkins, 2011 Leath St.
Jurline Hollins, 2832 Marjorie Ave.

Councilmember Oakley moved to close the public hearing and authorize the private sale.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1500

Item 48: Public 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:

Jurline Hollins, 2832 Marjorie Ave.
William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1501

Item 49: Public Hearing

A public hearing to receive citizens' comments regarding the transfer of control of TCI Cablevision of Dallas, Inc. from AT&T Corp. to AT&T/Comcast Corporation - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the TCI Cablevision of Dallas:

Jerrell Miller, 8150 Brookriver Dr.

James Holbrook, 6554 Kingsbury Dr.

Nancy Lee, 9414 Mercer Dr.

Nancy Hall, 1431 Gardenside Dr.

Margaret Strauss, 2501 Flora St., representing Booker T. Washington Arts Magnet

Larry Ihfe, 2705 Meadow Park, Garland, TX

Daryl Russell, 648 Nora Ln., DeSoto, TX, representing Communication Workers of America

Dorothy Moore, 3310 Fairmount Ave.

Brady Trigg, 8773 Ferndale Rd.

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1502

Item 50: Public Hearing

A public hearing to receive citizens' comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by TCI Cablevision of Dallas, Inc. - Financing: No cost consideration to the City.

No one addressed the city council regarding the TCI Cablevision of Dallas Inc.

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

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1503

Item 51: 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 May 8, 2002.

The city secretary noted that the report indicated nominees and renominees for individual appointments cleared for council action that met all qualifications for service. The assistant city secretary also noted that the term for each nominee would end August 31, 2003.

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

Motion seconded by Councilmember Greyson and unanimously adopted.

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

02-1519 BOA BOARD OF ADJUSTMENT

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1504

Item 52: Receive report of the canvassing committee and adopt a resolution accepting the canvassing committee's report declaring the results of the May 4, 2002 special election - Financing: No cost consideration to the City

The city secretary announced that due to unforeseen circumstances the City Council did not have the necessary election return information from the Dallas County Elections Department in order to conduct a canvass of the May 4, 2002 Special Election on May 8, 2002 as originally scheduled.

Councilmember Fantroy moved that because the Dallas County Elections Department had not provided the city council with the necessary information to conduct a canvass of the May 4, 2002 Special Election, to defer item 52 under Section 67.003(2) of the Texas Election Code.

Under Section 67.003(2) of the Texas Election Code, Friday, May 10, 2002, is the last day available to canvass the May 4, 2002 Special Election. Therefore, the canvass committee requests that Mayor Miller call a Special Meeting of the City Council for Friday, May 10, 2002, for the purpose of canvassing the May 4, 2002, Special Election.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1505

Item 53: Authorize recognition of the designation of a portion of the Good Street Baptist Church property at 3110 Bonnie View Road as Dr. C.A.W. Clark Plaza to honor the ministry of Dr. C.A.W. Clark - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Oakley.

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

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

Voting No: [0]

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1506

Item 54: An ordinance amending Chapter 15B of, and adding Chapter 46 to, the Dallas City Code, to prohibit discrimination on the basis of sexual orientation in City of Dallas contracts; to prohibit discrimination on the basis of sexual orientation in the areas of employment, housing, and public accommodations; to provide a complaint, investigation, conciliation, and enforcement process; to provide exceptions; to define terms; and to provide a criminal penalty of not less than \$200 or more than \$500 - \$168,706 - Financing: Current Funds (subject to annual appropriations - includes incremental costs of \$14,988 and reallocated personnel costs of \$153,718)

The following individuals addressed the city council regarding Chapter 15B and Chapter 46:

Donald Carty, 3704 Alice Cir. Highland Park, TX, representing American Airlines
Clint Freeman, 7328 Rockhurst Dr.
Flip Benham, 621 Dawn Dr., Garland, TX, representing Operation Save America/Calvary Hill Baptist
William Finnin, 10318 Church Rd.
Mark Briskman, 5012 Hatherly Dr., Plano, TX, representing Anti-Defamation League
Kerry Silver, 7407 Brentfield Dr., representing Greater Dallas Community Relations Commission
Hector Garcia, 3601 Turtle Creek Blvd.
Roger Wedell, 1318 Elmwood Blvd., representing The Dallas Gay and Lesbian Alliance
Craig Clark, 3105 San Jacinto St., representing Log Cabin Republicans
Steve Atkinson, 3322 Leahy Dr., representing Lesbian Gay Rights Lobby of Texas
Eileen Terry, 1201 Elm St.

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmembers Oakley and Lill.

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

Voting Yes: [13] Miller, Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley,
Chaney, Fantroy, Poss, Finkelman, Greyson, Lill
Voting No: [2] Walne, Rasansky

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24927.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1507

Item 55: 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 Poss moved to pass the ordinance.

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

Assigned ORDINANCE NO. 24928.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1508

Item 56: 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 June 12, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1509

Closed Session

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

- Legal issues and proceedings relating to the transfer of control of TCI Cablevision of Dallas, Inc. from AT&T Corp. to AT&T/Comcast Corporation
- Legal issues and proceedings relating to the establishment of approved basic service tier and equipment rates of cable television services provided by TCI Cablevision of Dallas, Inc., dba AT&T Cable Services
- Legal issues regarding recently amended personnel rules and additional amendments
- Legal issues involving TXU gas distribution rate case
- Charles Miller v. City of Dallas, Civil Action No. 3:98-CV-2955-D
- James T. Allen v. City of Dallas, Cause No. DV98-05171-C
- Golden Harvest Company Inc., N.H.T. Partnership, and Kaufman County Levee Improvement District #15 v. City of Dallas, Cause No. 42,765

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 and proceedings relating to the transfer of control of TCI Cablevision of Dallas, Inc. from AT&T Corp. to AT&T/Comcast Corporation
- Legal issues and proceedings relating to the establishment of approved basic service tier and equipment rates of cable television services provided by TCI Cablevision of Dallas, Inc., dba AT&T Cable Services
- Legal issues involving TXU gas distribution rate case
- Charles Miller v. City of Dallas, Civil Action No. 3:98-CV-2955-D
- James T. Allen v. City of Dallas, Cause No. DV98-05171-C
- Golden Harvest Company Inc., N.H.T. Partnership, and Kaufman County Levee Improvement District #15 v. City of Dallas, Cause No. 42,765

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1510

Addendum addition 1: Adoption of rules and procedures governing quasi-judicial proceedings before the City Council concerning the use of public rights-of-way within the City of Dallas - Financing: No cost consideration to the City

The following individual addressed the city council regarding the adoption of rules and procedures:

Autry Warren, 1601 Bryan St., representing TXU Gas Distribution

Councilmember Poss moved to defer the item until the May 15, 2002 briefing meeting of the city council

Motion seconded by Councilmember Chaney.

Councilmember Lill moved to substitute for Councilmember Poss' motion to approve the item as presented.

Motion seconded by Councilmember Finkelman.

After discussion, Mayor Miller called the vote on the Councilmember Lill's substitute motion:

Voting Yes: [12] Miller, Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley,
Fantroy, Walne, Finkelman, Rasansky, Lill
Voting No: [3] Chaney, Poss, Greyson

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1511

Addendum addition 2: Authorize Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for expert services necessary in several lawsuits involving appeals from Board of Adjustment rulings, and any other proceedings relating to the subject matter of these lawsuits - Not to exceed \$100,000, from \$200,000 to \$300,000 - Financing: Current Funds

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1512

Addendum addition 3: An ordinance amending Section 24-4 of CHAPTER 24, "LIBRARY," of the Dallas City Code authorizing the Dallas Public Library to participate in the Texas State Library's TexShare Card Program in order to extend reciprocal borrowing privileges to TexShare Card Program participants - Financing: No cost consideration to the City

Councilmember Lill moved to pass the ordinance.

Motion seconded by Councilmember Finkelman.

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

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

Voting No: [1] Rasansky

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24929.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1513

Addendum addition 4: Authorize (1) a modification to the Military Construction Cooperative Agreement with the National Guard Bureau to increase their reimbursement obligation for construction costs in an amount not to exceed \$21,000, from \$979,000 to \$1,000,000 and (2) an increase in the contract with Wright Construction Co., Inc. to provide additional improvements to the wastewater main, redesign and modifications to manhole foundations and remove manhole coating requirements, redesign placement of water main due to conflict with existing storm sewer, replacement of culvert and headwall, removal and disposal of asphalt and cement material and allow for the redesign and reduction of quantities in the paving specifications included in the water and wastewater main project at Hensley Field - \$56,677, from \$1,357,930 to \$1,414,607 - Financing: Texas Department of Economic Development, Defense Economic Adjustment Assistance Grant Funds (\$51,000) and National Guard Bureau, Military Construction Cooperative Agreement Funds (\$5,677) [02-1514]

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Housewright and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1514

Addendum addition 5: Authorize an Interlocal Agreement with Dallas County to establish up to four Municipal Courts of Record for the adjudication of truancy offenses filed by Dallas Independent School District within the corporate limits of the City of Dallas - Financing: No cost consideration to the City (All expenses to be fully reimbursed by Dallas County)

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

Monica Acosta-Zamora, 600 S. Brighton Ave.

Councilmember Thornton Reese moved to defer the item for six weeks.

Motion seconded by Councilmember Fantroy.

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

Motion seconded by Councilmember Walne.

After discussion, Mayor Miller called the vote on Councilmember Poss' substitute motion:

Voting Yes: [13] Miller, Hill, Loza, Garcia, Housewright, Oakley, Chaney, Poss,
Walne, Finkelman, Greyson, Rasansky, Lill
Voting No: [2] Thornton Reese, Fantroy

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1515

Addendum addition 6: An ordinance amending Chapter 34 of the Dallas City Code, "Personnel Rules", to clarify overtime and compensatory leave policies for public safety employees; to clarify the computation of lump sum payments of sick leave and vacation leave for City employees; to provide grievance and appeal procedures relating to discrimination on the basis of sexual orientation; to extend deadlines for filing appeals to the civil service board, a trial board, or an administrative law judge; to clarify the computation of wage supplementation payments; to eliminate City Manager review of wage supplementation decisions; and to amend the effective date of family leave provisions - Financing: No cost consideration to the City

The following individual addressed the city council regarding Chapter 34:

Brady Trigg, 8773, Ferndale

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne.

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

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

Assigned ORDINANCE NO. 24930.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1516

Addendum addition 7: Authorize (1) a public hearing to be held on May 22, 2002 to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas ("Sports Arena TIF District") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and, (2) at the close of the public hearing, consideration of an ordinance approving amendments to the original Sports Arena TIF District Plan previously approved on August 25, 1999, by Ordinance Number 24002, to increase the total estimated project costs by an amount not to exceed an additional \$43,000,000 (plus associated financing and related costs), to add new TIF funded public improvement projects, to authorize the pledge of certain TIF revenues as security for future bonds that may be issued by the City in accordance with the City of Dallas Financial Management Performance Criteria to reimburse advances for the new TIF funded improvement projects, to authorize an extension of the term of the Sports Arena TIF District for five years to 2023, to authorize a reduction of the boundaries in the Sports Arena TIF District beginning January 1, 2019 to include only the approximately 22 acres to be developed by Palladium, to authorize a 5% portion of the City's tax increment to be used for the purpose of affordable housing, and other matters related thereto B Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Sports Arena TIF District:

Carl Labry, 5421 Bryan St.

John Sughrue, 3131 maple Ave., representing West End Property Owner

Terry Margerum 505 Montgomery St., San Francisco, CA, representing The Sedway Group

George Schrader, 12055 De Or Dr., representing Downtown Group

Greg Elam, 7130 Chattington Dr., representing Dallas Convention & Visitors Bureau

Joe Geary, 5929 Club Oaks Dr., representing the Downtown Group

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Chaney.

During debate on Councilmember Poss' motion, Deputy Mayor Pro Tem Loza moved the previous question.

Motion seconded by Councilmember Chaney.

Mayor Miller called the vote on Deputy Mayor Pro Tem Loza's motion to end debate and proceed to an immediate vote on the pending question.

Voting Yes: [8] Hill, Loza, Chaney, Poss, Walne, Greyson, Rasansky, Lill
Voting No: [7] Miller, Garcia, Housewright, Thornton Reese, Oakley, Fantroy, Finkelman

Mayor Miller declared the previous question was lost and debate could resume on Councilmember Poss' motion as less than two-thirds of the city councilmembers present had voted in the affirmative.

After discussion, Mayor Miller called the vote on Councilmember Poss' motion to call a public hearing on May 22, 2002.

Voting Yes: [11] Hill, Loza, Garcia, Thornton Reese, Oakley, Chaney, Fantroy, Poss, Walne, Finkelman, Greyson
Voting No: [4] Miller, Housewright, Rasansky, Lill

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1517

Addendum addition 8: Authorize (1) a public hearing to be held at on May 22, 2002 to receive citizens' comments on amendments to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan ("Plan") to increase the project budget from \$61,923,676 to \$108,900,943 to allow for the Plan objectives to be met, including provision of additional funding for environmental remediation, interior and exterior demolition, facade improvements and fire safety corridor improvements, public parking, plan implementation and streetscape improvements in the City Center TIF District and expenditures for areas of public assembly and affordable housing outside the City Center TIF District, modification of the City Center TIF District Boundary to include the Franklin & Butler Shoe Building, 1610 Elm Street and the Everts Building, 1615 Main Street, modifications to the Plan and modifications of Ordinances 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and (2) at the close of the public hearing, consideration of an ordinance amending Ordinance Number 22802, previously approved on June 26, 1996, and Ordinance Number 23034, previously approved on February 12, 1997, which approved the Plan, to reflect all such Plan amendments; such actions will not affect the term of the City Center TIF District and will be revenue neutral as to Dallas Independent School District, but such amendments will increase City and Dallas County financial participation in the City Center TIF District - Financing: No cost consideration to the City

The following individual addressed the city council regarding City Center TIF District:

Susan Mead, 4131 Cochran Chapel Rd., representing Downtown Partnership, Inc.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 2002

02-1518

NOTICE OF DEFERRED OR DELETED ITEMS

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 8, 2002

EXHIBIT C

5/22/02 10:25 AM
G:\2002MIN\CC050802.doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS