

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 22, 2002

02-1580

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 9:17 a.m.

The assistant 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 Leo Chaney, Jr.

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 8:07 p.m.

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Mayor

ATTEST:

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Assistant 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.

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 22, 2002

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 22, 2002

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1581

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: Linda Pelon, 3015 Nutting Dr.  
REPRESENTING: Piedmont Scyene Homeowners Association  
SUBJECT: Tree preservation

SPEAKER: D.J. Young, 3600 Fairfax Ave.  
REPRESENTING: Dallas Historic Tree Coalition  
SUBJECT: Tree preservation ordinance.

SPEAKER: Walter Pearson, 725 Ridgeway St.  
SUBJECT: Palladium issue

SPEAKER: Mona Abousaid, 4906 Radbrook Pl.  
REPRESENTING: American Arab Anti-Discrimination Committee  
SUBJECT: Christians in Palestine

SPEAKER: Samir Adedrabbo, 5727 Santa Fe Ave.  
SUBJECT: Palestine issue

**OPEN MICROPHONE – END OF MEETING:**

No speakers.

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Corruption: Palladium/Mayor Pro Tem/Former Mayer/Former City Manager

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL\

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SPEAKER: Roy Williams, 5881 Preston View Blvd. **NO SHOW**  
REPRESENTING: 40 Acres And A Mule  
SUBJECT: Anti-Apartheid

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
REPRESENTING: Coalition Against Occupation Apartheid  
SUBJECT: J.B. Jackson/ Elsie Fay Heggins/Jenin

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.  
SUBJECT: Perpetrators

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1582

Item 1: Approval of Minutes of the May 8, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Councilmember Walne and unanimously adopted. (Lill absent when vote taken)

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1583

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-41 was presented for consideration.

The assistant city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda items 5 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 Chaney requested that consent agenda items 4 and 32 be considered as individual items. Mayor Miller stated that consent agenda items 4 and 32 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Miller stated that consent agenda item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Finkelman requested that consent agenda item 25 be considered as an individual item. Mayor Miller stated that consent agenda item 25 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Poss moved to approve all items on the consent agenda with the exception of consent agenda items 5 and 19, which were deferred, and consent agenda items 4, 18, 25 and 32 would be considered later in the meeting.

Motion seconded by Councilmember Garcia and unanimously adopted. (Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1584

Item 2: Authorize a contract for dredging and shoreline improvements at Twin Lakes Park - Rimrock Enterprises, Inc., lowest responsible bidder of six - \$498,848 - Financing: Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1585

Item 3: Authorize a contract for playground replacement including sidewalks and ramps at Harry Stone, Old Renner and Ridgewood Parks - Jonmar Services, Inc., lowest responsible bidder of six - \$140,572 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1586

Item 4: Authorize a contract for site improvements including a walking trail, new playground, pedestrian bridge and site furnishings at Parkdale Park - Austco, Inc., lowest responsible bidder of five - \$164,000 - Financing: 2000-01 Community Development Grant Funds

Councilmember Chaney requested that consent agenda item 4 be considered as an individual item. Mayor Miller stated that consent agenda item 4 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 4 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1587

Item 5: Authorize Supplemental Agreement No. 1 to the contract with Mesa Design Group, Inc. to provide design graphics and one additional neighborhood meeting for Grauwylar Park Master Plan - \$2,660, from \$14,820 to \$17,480 - Financing: 1995 Bond Funds

The assistant city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda item 5 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 22, 2002

02-1588

- Item 6: Authorize (1) an increase in the contract with Angelo Iafrate Construction, L.L.C. for additional street paving and drainage improvements on Mountain Creek Parkway from I-20 to Grady Niblo Road and Merrifield Road from Mountain Creek Parkway to 1750 feet east in an amount not to exceed \$279,242, from \$3,931,745 to \$4,210,987, and (2) assignment of the contract to Mountain Creek Business Parkway Land, L.P. (formerly The Courtland Group) for construction administration - \$279,242 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1589

Item 7: Authorize an increase in the contract with F. Hall Mowing Company for demolition services of structures ordered demolished by the Urban Rehabilitation Standards Board, court orders, the emergency demolition of unsafe buildings due to fire damage, and the demolition of City-owned buildings as required - \$250,000, from \$1,000,000 to \$1,250,000 - Financing: Demolition Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1590

Item 8: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for improvements to the East Side Water Treatment Plant, Bachman Water Treatment Plant and Forney Dam - \$4,548,581, from \$30,170,000 to \$34,718,581 - Financing: Water Utilities Bond Funds (\$4,373,863) and Water Utilities Capital Construction Funds (\$174,718)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1591

Item 9: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for improvements to the East Side Water Treatment Plant ozone facility and the Bachman Water Treatment Plant - \$4,947,869, from \$36,788,350 to \$41,736,219 - Financing: Water Utilities Bond Funds (\$4,254,120) and Water Utilities Capital Construction Funds (\$693,749)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1592

Item 10: Authorize an increase in the agreement with Texas Department of Transportation for the relocation of water and wastewater mains in the I.H. 635 and U.S. Highway 75 Interchange - \$450,000, from \$700,000 to \$1,150,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1593

Item 11: Authorize Supplemental Agreement No. 5 to the contract with Freese and Nichols, Inc. for additional engineering services for inspection and improvements to Dallas Water Utilities dams - \$123,064, from \$597,349 to \$720,413 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1594

Item 12: Authorize an Interlocal Agreement with the Texas Department of Transportation for the construction of a roadway illumination system on IH 30 at the Dalrock Road interchange - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1595

Item 13: Authorize an Interlocal Agreement with the Texas Department of Transportation for the construction of a roadway illumination system on U.S. Highway 175 from east of Loop 12 (Buckner Boulevard) to the eastern city limits - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1596

Item 14: Authorize (1) sidewalk paving improvements for Sidewalk Group 98-117); 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 26, 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 22, 2002

02-1597

Item 15: Authorize (1) street paving, storm drainage, water and wastewater main improvements on Mexicana Drive from Canada Drive to dead-end; 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 26, 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 22, 2002

02-1598

- Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rosalia Cerda and Irma Delgado, of approximately 35,900 square feet of unimproved land located near the intersection of Camp Wisdom Road and American Way for expansion of the American Way elevated water tank site - \$66,425 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1599

Item 17: Authorize (1) rescinding the contract with Henna Chevrolet for a Class 7 truck, cab and chassis in the amount of \$83,474, (2) a receipt from Henna Chevrolet in the amount of \$1,652 to offset the additional cost with Southwest International Trucks, Inc., and (3) a contract with Southwest International Trucks, Inc., lowest responsible bidder of three, for two units - \$85,126 - Financing: 2001 Equipment Acquisition Contractual Obligation Notes (\$83,474), Private Funds (\$1,652)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1600

Item 18: Authorize a twelve-month price agreement for access to a world-wide-web based full text Dallas Morning News database - The Dallas Morning News - Sole Source - Not to exceed \$75,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Miller stated that consent agenda item 18 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 18 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted. (Lill absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1601

Item 19: Authorize the purchase of two high-speed snow removal tow-behind runway brooms for Dallas Love Field Airport from the lowest responsible bidder of two - M-B Companies, Inc. of Wisconsin - Not to exceed \$266,444 - Financing: Aviation Current Funds

The assistant 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 22, 2002

02-1602

Item 20: Authorize a thirty-six-month service contract for asbestos abatement at Dallas Love Field Airport with the lowest responsible bidder of seven - American Environmental Specialties, Inc. - Not to exceed \$730,841 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1603

Item 21: Authorize (1) the establishment of appropriations in an amount not to exceed \$2,600,000 in PEG Access Funds, and (2) the purchase of video broadcast equipment from Burst Communications, Inc., most advantageous proposer of two - Not to exceed \$2,600,000 - Financing: PEG Access Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1604

Item 22: Authorize a thirty-six-month price agreement for calcium carbonate with the lowest responsible bidder of three - Estes, Inc. - Not to exceed \$159,775 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1605

Item 23: Authorize the purchase of grounds maintenance equipment from the lowest responsible bidders of six - Professional Turf Products, Inc., C & M Cooled Engine, James Lincoln Corp., Austin Turf and Tractor, and Heftee Industries - Not to exceed \$411,954 - Financing: Current Funds (\$78,304) and Golf Improvement Trust Funds (\$333,650)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1606

Item 24: Authorize a thirty-six-month price agreement for school zone flasher timing devices and enclosures with the lowest responsible bidder of two - Consolidated Traffic Controls, Inc. - Not to exceed \$69,375 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1607

Item 25: Authorize a twenty-four-month service contract for yard waste grinding service with the lowest responsible bidders of five - Thelin Recycling Co., LLC and SMS Woodstone, Inc. - Not to exceed \$439,200 - Financing: Current Funds

Councilmember Finkelman requested that consent agenda item 25 be considered as an individual item. Mayor Miller stated that consent agenda item 25 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 25 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1608

Item 26: Authorize the purchase of 2-inch backflow prevention devices from the lowest responsible bidder of fourteen - Wickham Supply, Inc. - Not to exceed \$97,463 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1609

Item 27: Authorize a professional services contract with The Carter Law Firm, P.C., to provide legal services in the lawsuit styled Debra Branton v. City of Dallas, Civil Action No. 3:97-CV-0245-P, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1610

Item 28: Authorize settlement of a lawsuit, styled Sandra Lee Campbell v. Wallace Warren Bishop and City of Dallas, Cause No. cc-01-04755-d - \$30,000 -  
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1611

Item 29: Authorize (1) the rescinding of Resolution No. 00-3754 which was authorized on December 13, 2000 for the reconstruction of a home on-site, and (2) a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program (now known as Home Repair Program) for homeowner, Charlene Hunter Beckett, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 1999-00 Community Development Grant Funds (\$27,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1612

- Item 30: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program (now known as Home Repair Program) for homeowners Jerry Ausborne and Bennetta Ausborne, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$27,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1613

- Item 31: Authorize an economic development grant agreement with McKaren Industries Partnership for the proactive recruitment and retention of Brackins Village, Turner Courts, Rhoads Terrace, Frazier Courts, Cedar Springs, Little Mexico, Roseland Homes, and Town Park, Walker area residents who reside in housing owned and/or operated by the Dallas Housing Authority for positions in a new McDonald's restaurant - Not to exceed \$70,000 - Financing: Walker Consent Decree Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1614

Item 32: Authorize a loan agreement with Premium Custom Cleaning and Services which provides cleaning services to leading construction general contractors in the Dallas/Ft. Worth metroplex and lawn maintenance and landscaping services to residential and commercial customers and will be located at 4907 Spring Avenue in the South Dallas/Fair Park Trust Fund target area - Not to exceed \$24,000 - Financing: South Dallas/Fair Park Trust Funds

Councilmember Chaney requested that consent agenda item 32 be considered as an individual item. Mayor Miller stated that consent agenda item 32 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 32 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1615

Item 33: Authorize adoption of Bylaws of Tax Increment Reinvestment Financing Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1616

Item 34: Authorize an amendment to Section 5 of Council Resolution No. 00-2652 previously authorized on August 23, 2000 to include 1601 Panama among the addresses for which the Substandard Housing Assistance loan was increased - Not to exceed \$10,000, from \$17,500 to \$27,500 - Financing 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1617

Item 35: Authorize the reconstruction on site of one home in accordance with the Home Repair Program Statement requirements for the property located at 3914 Bertrand Avenue - Not to exceed \$50,000 - Financing: 1999-00 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1618

Item 36: Authorize a contract renewal with the African American Museum to provide two 3-week Summer Camps for students ages 8-12 and Community Workshops for students from low to moderate income areas - \$50,000 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1619

Item 37: Authorize the first of two one-year renewal options to the contract with Science Safari to provide 100 after school and 50 summer science programs at fifteen Community Development Block Grant after school program sites) - \$27,600 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1620

Item 38: An ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property on the northwest corner of the intersection of Munger Street and Collett Avenue Z012-112/11561-C(JC) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24931.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1621

Item 39: An ordinance annexing a portion of Jefferson Boulevard from Southeast 14th Street to Camden Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24932.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1622

Item 40: An ordinance waiving the extraterritorial jurisdiction of the City of Dallas on a portion of Jefferson Boulevard from Camden Road to Mountain Creek in favor of the City of Grand Prairie - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24933.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1623

- Item 41: Authorize application for the tenth-year continuation of the Commercial Auto Theft Interdiction Squad grant in an amount of \$650,000 to provide a specialized proactive automobile theft program, from the Texas Automobile Theft Prevention Authority, for a total amount of \$694,289, for the period September 1, 2002 through August 31, 2003 (local match in the amount of \$44,289, or 6% of all expenses, will be required if awarded) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1624

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 42-48, was presented.

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

- Agenda item 42: Zoning Case Z012-174(RB)
- Agenda item 43: Zoning Case Z012-179 (JC)
- Agenda item 44: Zoning Case Z012-181 (JC)
- Agenda item 45: Zoning Case Z012-182 (JC)
- Agenda item 46: Zoning Case Z012-184 (JA)
- Agenda item 47: Zoning Case Z012-186 (WE)
- Agenda item 48: Zoning Case Z012-187 (JC)

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.

The following individual addressed the city council regarding zoning case Z012-179 (JC):

William Hopkins, 2011 Leath St.

Councilmember Walne 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 Finkelman and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1625

Item 42: Zoning Case Z012-174 (RB)

Zoning Case Z012-174 (RB), an application for and an ordinance granting an amendment to the site/landscape plan and conditions for Specific Use Permit No. 918 for a Private school and Day care center on property zoned as Planned Development District No. 134 for Residential and Retail Uses on Wayne Street and Parkview Avenue, southeast of Lindsley Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24934.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1626

Item 43: Zoning Case Z012-179 (JC)

Zoning Case Z012-179 (JC), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an R-10(A) Single Family District on Westmoreland Road, south of Blue Ridge Boulevard.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24935.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1627

Item 44: Zoning Case Z012-181 (JC)

Zoning Case Z012-181 (JC), an application for and an ordinance granting a Specific Use Permit for a Public school on property zoned Planned Development District No. 521, in Subdistrict S-3 Tract 2, for Single Family, Multifamily, Office, and Retail Uses on Fox Creek Trail, east of F. M. 1382.

(The city plan commission recommended approval for a permanent time period, subject to a site plan/landscape plan, and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24936.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1628

Item 45: Zoning Case Z012-182 (JC)

Zoning Case Z012-182 (JC), an application for and an ordinance granting a Specific Use Permit for a Public School on property zoned an MF-1(A) Multifamily District on Wandt Drive and Ridge Center Drive, southeast corner.

(The city plan commission recommended approval for a permanent time period, subject to a site plan/landscape plan, and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24937.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1629

Item 46: Zoning Case Z012-184 (JA)

Zoning Case Z012-184 (JA), a Landmark Commission authorized hearing to consider an Historic Overlay District for the Pioneer Cemetery on property zoned CA-1(A)-SP Central Area District-Secondary Pedestrian Precinct, on Marilla Street between Akard Street and Griffin Street and an ordinance granting the Historic Overlay District.

(The city plan commission recommended approval, subject to preservation criteria.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24938.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1630

Item 47: Zoning Case Z012-186 (WE)

Zoning Case Z012-186 (WE), an application for and ordinances granting an RR Regional Retail District on property zoned an IM Industrial Manufacturing District and the termination of Specific Use Permit No. 98 for Mining for that portion encompassing the request site, on the northwest corner of Cockrell Hill Road and Adler Drive.

(The city plan commission recommended approval.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24939 and ORDINANCE NO. 24940.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1631

Item 48: Zoning Case Z012-187 (JC)

Zoning Case Z012-187 (JC), an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school and child-care facility on property zoned an RR Regional Retail District on R. L. Thornton Freeway, south of Kiest Boulevard.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24941.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1632

Item 49: Public Hearing – Zoning Case Z012-145 (EB)

A public hearing was called on zoning case Z012-145 (EB), an 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 West Northwest Highway, east of Webb Chapel Extension.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission's recommendation:

William Hopkins, 2011 Leath St.  
Chuck Russell, 6350 LBJ Frwy., representing the applicant  
Joe Morris, 2995 LBJ. Frwy.  
Steve Craft, 8348 Thornhill Dr.  
Michael Coker, 6350 LBJ Frwy.

Appearing in favor of the city plan commission's recommendation:

Michael Jung, 4300 Bank of America

Deputy Mayor Pro Tem Loza moved to close the public hearing and accept the recommendation of the city plan commission and deny the application with prejudice.

Motion seconded by Councilmember Rasansky and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1633

Item 50: Public Hearing – Zoning Case Z012-173 (WE)

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 Recommendation of CPC: Approval of R-5(A) Single Family Residential District with retention of the Dry Overlay. This item was considered by the City Council at a public hearing on May 8, 2002, and was taken under advisement until May 22, 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's recommendation:

Vernon Smith, Jr., 3131 Maple Ave., representing the applicant  
Rick Callahan, 3546 Rock Bluff Dr.

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

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 24942.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1634

Item 51: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for sidewalk paving improvements for Sidewalk Group 98-119, and at the close of the hearing, authorize a contract for the construction with B.T. Construction, Inc., lowest responsible bidder of seven - \$57,871 - Financing: Capital Assessment 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 Sidewalk Group 98-119:

William Hopkins, 2011 Leath St.

Councilmember Thornton Reese 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 22, 2002

02-1635

Item 52: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for sidewalk paving improvements for Sidewalk Group 98-120 (list attached), and at the close of the hearing, authorize a contract for the construction with B.T. Construction, Inc. lowest responsible bidder of five - \$51,775 - Financing: Capital Assessment Funds (\$46,175), Water Utilities Capital Construction Funds (\$5,600)

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 benefit assessment hearing:

William Hopkins, 2011 Leath St.

Councilmember Thornton Reese 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 22, 2002

02-1636

Item 53: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing for sidewalk paving improvements on Preston Road from LBJ Freeway to Forest Lane (east side only) - Financing: This action has no cost consideration to the City

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

The following individual addressed the city council regarding the benefit assessment hearing:

William Hopkins, 2011 Leath St.

Councilmember Thornton Reese moved to close the public hearing.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1637

Item 54: BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-434, and at the close of the hearing, authorize a contract for the construction with Camino Construction, Inc., lowest responsible bidder of seven - \$931,172 - Financing: 1998 Bond Funds (\$529,168), Water Utilities Capital Improvement Funds (\$395,454), Water Utilities Capital Construction Funds (\$6,550)

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

The following individual addressed the city council regarding the benefit assessment hearing:

William Hopkins, 2011 Leath St.

Deputy Mayor Pro Tem Loza 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 22, 2002

02-1638

Item 55: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments, and an ordinance 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-sponsored youth programs in compliance with State law - Financing: No cost consideration to the City

The following individual addressed the city council regarding the City Youth Program Standards of Care:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Lill and unanimously adopted.

Assigned ORDINANCE NO. 24943.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1639

02-1640

Item 56: 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 assistant 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 22, 2002.

The assistant 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 Finkelman moved to appoint Brent Christopher, chair, to the Permit and License Appeals Board.

Motion seconded by Councilmember Garcia and unanimously adopted. (Lill absent when vote taken)

Councilmember Finkelman 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 Garcia and unanimously adopted. (Lill absent when vote taken)

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

**02-1664            Board Officers**  
**02-1665   YAC   YOUTH COMMISSION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1641

Item 57: Adoption of the Preliminary FY 2002-03 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$33,223,990 for the following programs and estimated amounts: Community Development Block Grant (\$21,825,990), HOME Investment Partnerships Program (\$7,703,000), Housing Opportunities for Persons with AIDS (\$3,022,000), and Emergency Shelter Grant (\$673,000); and Preliminary FY 2001-02 Reprogramming Budget in the amount of \$616,434- Financing: U.S. Department of Housing and Urban Development Grant Funds

Councilmember Thornton Reese moved to approve the item with the exception of the Preliminary FY 2002-03 Consolidated Plan Budget for U. S. Department of Housing and Urban Development Grants funds relating to the Dallas Can Academy and Paul Quinn College.

Motion seconded by Councilmember Poss and unanimously adopted.

Councilmember Rasansky announced that he had a conflict of interest and would abstain from voting or participating in any discussion relating to approval of the Preliminary FY 2002-03 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grants funds relating to Dallas Can Academy. Councilmember Rasansky left the city council chamber.

Deputy Mayor Pro Tem Loza moved to approve the Preliminary FY 2002-03 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development Grants funds relating to the Dallas Can Academy.

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

Councilmember Fantroy announced that he had a conflict of interest and would abstain from voting or participating in any discussion relating to approval of the Preliminary FY 2002-03 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant funds relating to Paul Quinn College. Councilmember Fantroy left the city council chamber.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-1641

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Councilmember Chaney moved to approve the Preliminary FY 2002-03 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grants funds relating to Paul Quinn College.

Motion seconded by Councilmember Poss and unanimously adopted. (Fantroy abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1642

Item 58: Authorize a public hearing to be held on June 12, 2002 to receive citizens' comments on the proposed FY 2002-03 Consolidated Plan Budget for U. S. Department of Housing and Urban Development Grant Funds and the proposed FY 2001-02 Reprogramming Budget - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1643

Item 59: Authorize a public hearing to be held on June 12, 2002 to receive citizens' comments regarding establishing new residential, commercial and industrial rates for natural gas services as provided by TXU Gas Company - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1644

Item 60: Authorize a public hearing to be held on June 12, 2002 to receive citizens' comments in preparation of the 2002 General Obligation Bond Program - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1645

Item 61: 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

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1646

Item 62: Ratify emergency repair and upgrade of the original fire alarm system at the Dallas Museum of Art - \$224,755 - Financing: Capital Construction Funds

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Oakley.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1647

Closed Session

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

- Legal issues regarding the Dallas Naval Air Station
- Boulder Ridge Apartments, Ltd. v. City of Dallas, Cause No. DV99-00913-C
- MD II Entertainment, Inc. v. City of Dallas, DV01-08040-F
- New Age Restaurants, Inc. v. City of Dallas, et al., DV00-01114-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV99-00755-H
- D. Burch, Inc. v. City of Dallas, et al., DV99-00756-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-01880-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08342-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-08343-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-08344-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-H
- ERAF Corporation v. City of Dallas, et al., DV98-02501-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-02710-H
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-H
- Northwest Investments v. City of Dallas, et al., DV98-05801-H
- MD II Entertainment, Inc. v. City of Dallas, et al., 97-08254-H
- D. Burch, Inc. v. City of Dallas, et al., 97-06039-H
- D. Burch, Inc. v. City of Dallas, et al., DV00-09240-L
- Allen-Burch, Inc. v. City of Dallas, et al., DV00-09241-A
- MD II Entertainment, Inc. v. City of Dallas, et al., DV00-09242-L
- Santa Fe Cabaret, L.L.C. v. City of Dallas, DV00-07957-C
- Northwest Entertainment Group, Inc. v. City of Dallas, et al., DV00-05673-I
- Green Star, Inc. v. City of Dallas, DV01-05718-D
- City of Dallas, Texas v. MD II Entertainment, Inc. d/b/a The Fare West, DV01-04540-J
- Adventure Plus, Inc., et al. v. City of Dallas, 3:00-CV-2500-R
- Hotel Development Texas, L.L.C. v. City of Dallas, 3:00-CV-1541-D
- Millennium Restaurants Group, Inc., et al. v. City of Dallas, 3:01-CV-0857-G
- Baby Dolls Topless Saloon, Inc., et al. v. City of Dallas, et al., 3:00-CV-1331-R
- Allen Burch, Inc. BDA 001C-108
- D. Burch, Inc. BDA 001C-107
- Mainstage, Inc. BDA 001C-103
- D. Burch, Inc. dba Baby Dolls Topless Saloon, et al. v. City of Dallas, et al., 3:01-CV-2317-R
- MD II Entertainment dba The Fare West v. City of Dallas, et al., DV02-1705-L

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

Closed Session

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

- Legal issues regarding the Dallas Naval Air Station
- MD II Entertainment, Inc. v. City of Dallas, DV01-08040-F
- New Age Restaurants, Inc. v. City of Dallas, et al., DV00-01114-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV99-00755-H
- D. Burch, Inc. v. City of Dallas, et al., DV99-00756-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-01880-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08342-H
- MD II Entertainment, Inc. v. City of Dallas, et al., DV98-08343-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-08344-H
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-H
- ERAF Corporation v. City of Dallas, et al., DV98-02501-H
- D. Burch, Inc. v. City of Dallas, et al., DV98-02710-H
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-H
- Northwest Investments v. City of Dallas, et al., DV98-05801-H
- MD II Entertainment, Inc. v. City of Dallas, et al., 97-08254-H
- D. Burch, Inc. v. City of Dallas, et al., 97-06039-H
- D. Burch, Inc. v. City of Dallas, et al., DV00-09240-L
- Allen-Burch, Inc. v. City of Dallas, et al., DV00-09241-A
- MD II Entertainment, Inc. v. City of Dallas, et al., DV00-09242-L
- Santa Fe Cabaret, L.L.C. v. City of Dallas, DV00-07957-C
- Northwest Entertainment Group, Inc. v. City of Dallas, et al., DV00-05673-I
- Green Star, Inc. v. City of Dallas, DV01-05718-D
- City of Dallas, Texas v. MD II Entertainment, Inc. d/b/a The Fare West, DV01-04540-J
- Adventure Plus, Inc., et al. v. City of Dallas, 3:00-CV-2500-R
- Hotel Development Texas, L.L.C. v. City of Dallas, 3:00-CV-1541-D



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- Millennium Restaurants Group, Inc., et al. v. City of Dallas, 3:01-CV-0857-G
- Baby Dolls Topless Saloon, Inc., et al. v. City of Dallas, et al., 3:00-CV-1331-R
- Allen Burch, Inc. BDA 001C-108
- D. Burch, Inc. BDA 001C-107
- Mainstage, Inc. BDA 001C-103
- D. Burch, Inc. dba Baby Dolls Topless Saloon, et al. v. City of Dallas, et al., 3:01-CV-2317-R
- MD II Entertainment dba The Fare West v. City of Dallas, et al., DV02-1705-L

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1648

Addendum addition 1: **City Center TIF District**

- \* A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas ("City Center TIF District") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to provide changes to the 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 at 1610 Elm Street and the Everts Building at 1615 Main Street, modifications to the Plan and modifications of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City

Addendum addition 2: **City Center TIF District**

- \* An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (“City Center TIF District”) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to provide changes to the 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 at 1610 Elm Street and the Everts Building at 1615 Main Street, modifications to the Plan and modifications of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City

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

Miles Zitmore, 7742 Goforth Rd.

Lee Hicks, representing Magnolia Hotel (Denver, Co)

John Tatum, 7147 Azalea La.

Jack Gosnell, 2519 Thomas Ave.

Gerald Sampson, 5030 Old Shadywood Ln.

Kirby White, 1445 Ross Ave.

Susan Mead, 1623 Main St.

Gloria Shaffner, 1623 Main St.

Dave Whitney, 3314 Blackburn St.

William Hopkins, 2011 Leath St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-1648

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

Motion seconded by Councilmember Lill and unanimously adopted.

Assigned ORDINANCE NO. 24944.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1649

Addendum addition 3: **Sports Arena TIF District**

- \* A public hearing 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), 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 The Palladium Company, 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 - Financing: No cost consideration to the City

Addendum addition 4: **Sports Arena TIF District**

- \* An ordinance approving amendments to the original Sports Arena TIF District Plan previously approved on August 25, 1999, by Ordinance No. 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 The Palladium Company, 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 - Financing: No cost consideration to the City

The following individuals addressed the city council in favor of amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Seven "Sports Arena TIF District":

Ken Wong, 625 Madison, Ave., New York, NY  
John Wiley Price, 406 E. 5<sup>th</sup> St.  
Alice Murray, 1509 Main St.  
David Biegler, 3537 Stanford Ave.  
Cranston Alkebulan, 7414 Fair Oaks Ln.  
Marlon Rollins, 11050 Woodmeadow Pkwy.  
Jim Alderman, 100 Gaueria Pkwy, Atlanta GA  
Margo Posey, 4038 Cottage Park, Arlington, TX  
Billy Allen, 830 Misty Glen Ln.  
Brenda Reyes, 6102 E. Mockingbird Ln.  
Dave Whitney, 3314 Blackburn St.  
Emilita De La Rosa, 1501 Sky View Dr., Irving, TX  
Ninette McDonald, 521 W. 8<sup>th</sup> St.  
Adam Trevino, 2821 S. Surrey, Carrollton, TX  
Bill Nabors, 3151 Hood St.  
Huelon Harrison, 3310 Grayson Ln.

The following individuals addressed the city council in opposition of amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Seven “Sports Arena TIF District”):

Mark Blainwoods, 207 S. Clark Rd., Cedar Hill, TX  
George Schraeder, 12055 Dior Dr.  
Pryor Blackwell, representing Trammel Crow  
Meredith Motley, 6222 Mercedes Ave.  
Vance Miller, representing Henry S. Miller  
Joe Geary, 5929 Club Oaks Dr.  
Robert Holman, 621 Red Ash Cir., Mesquite, TX  
Sydney Kay, 5718 Harvest Hill Rd.  
Richard Langley, 1626 Hollywood Ave.  
Ken Hughes, representing U. C. Urban  
Eugene Rice, 5609 Boca Raton Dr.  
Terry Margerum, representing Sedway Group for the Downtown Group  
Mark Davis, 1305 ½ King Hwy.  
John Zogg, 1717 Main St.  
Manny Ybarra, 7132 Lupton Ave.  
Jack Goswell, 2519 Thomas Ave.  
Harold Cullum, 3355 Blackburn St.

The following additional individuals addressed the city council in favor of amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Seven “Sports Arena TIF District”):

Larry Good, 9606 Jourdan Wy.  
Greg Schooley, 6346 Velasco Ave.  
Guy Brown, 310 W. Commerce St.  
Gerald Alley, 606 Lock Chalet Ct., Arlington TX  
Tom Persch, 2517 Evans Dr., Plano, TX  
Elvonn Richardson, 841 Bellflower, Plano, TX  
John Sughrue, 301 N. Market St.  
Greg Elam, 325 N. St. Paul St.  
Al Taylor, 5830 Buffridge Trl.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
02-1649

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

The following additional individuals addressed the city council in opposition to or in favor of amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Seven “Sports Arena TIF District”):

Billy McCloud, 4239 McKinney Ave.	<b>OPPOSED</b>
Michael Ablon, 5811 Lindenshire La.	<b>FAVOR</b>
Carol Ann Maguire, 11214 Visalia Dr.	<b>OPPOSED</b>
Peter Iria, 5342 Monticello Ave.	<b>FAVOR</b>
Bradley Breithbarth, 10158 Coveridge Dr.	<b>OPPOSED</b>
Toby Cappel, 1305 ½ Kings Hwy.	<b>OPPOSED</b>
Carl Labry, 5421 Bryan St.	<b>OPPOSED</b>
Thom Tidnour, representing Trizec-Hahn	<b>OPPOSED</b>
Alise Micus, 9223 Clover Valley Dr.	<b>FAVOR</b>
Don Hughes, 822 Graham Ave.	<b>OPPOSED</b>
Todd Decker, 6306 Prospect Ave.	<b>OPPOSED</b>
Colin Jefferson, 7018 Dalewood Cir.	<b>OPPOSED</b>
Sheryl Pickens, representing Trans Western	<b>OPPOSED</b>
Grady Graham, 2120 Commerce St.	<b>OPPOSED</b>
Don Dial, representing Trizec-Hahn	<b>OPPOSED</b>
Lee Robertson, 2250 Trade Winds Dr.	<b>OPPOSED</b>
Sandra Porter, representing Crescent Real Estate	<b>OPPOSED</b>
Susan Mead, 1623 Main St.	<b>OPPOSED</b>
Connie Bryant, 12538 Hallum Dr.	<b>FAVOR</b>
Les Teague, 38417 San Fernando Wy.	<b>OPPOSED</b>
Lyle Bergon, 5431 Willis Ave.	<b>FAVOR</b>
John Collins (no residence given)	<b>FAVOR</b>

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

Motion seconded by Deputy Mayor Pro Tem Loza.

Mayor Miller asked Mayor Pro Hill if he would accept a friendly amendment to his motion to provide that Section 5 of the ordinance to be amended to add the following two sentences:



“The audits, to be done when the Minimum Improvements having an aggregate cost of at least \$385 million have been completed, and thereafter when all of the Palladium Phase One Private Improvements have been completed, shall be conducted by the City, using auditors selected by the City, and shall be paid for by the developer. The Development Agreement applicable to the streets, streetscapes, and utility improvements shall provide that in the event the COG grants, in an amount not less than \$6 million, are not available to pay for a portion of the public improvements, then the developer shall be responsible for providing and advancing that portion of the funding, without reimbursement of any kind.”

That a new Section 6 be added to the Ordinance as follows, with the existing Sections 6, 7 & 8 renumbered accordingly:

Section 6. that if it is determined, as a result of the audit, that the Palladium Phase One Private Improvements costs are not consistent with the Palladium project proforma and budgets reviewed by the City Council and its consultants prior to May 22, 2002, the amount of reimbursement for the Palladium Public Improvements costs shall be reduced proportionately.”

Mayor Pro Tem Hill stated that he would not accept the amendment as part of his motion. Mayor Pro Tem Hill requested to vote on the motion as it stands. That all issues raised will be a part of the development agreement and will come back to the city council for approval.

Mayor Miller move to substitute the main motion to approve the amendment to Section 5 of the ordinance to add the following two sentences:

That Section 5 of the ordinance to be amended to add the following two sections:

“The audits, to be done when the Minimum Improvements having an aggregate cost of at least \$385 million have been completed, and thereafter when all of the Palladium Phase One Private Improvements have been completed, shall be conducted by the City, using auditors selected by the City, and shall be paid for by the developer. The Development Agreement applicable to the streets, streetscapes, and utility improvements shall provide that in the event the COG grants, in an amount not less than \$6 million, are not available to pay for a portion of the public improvements, then the developer shall be responsible for providing and advancing that portion of the funding, without reimbursement of any kind.”

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

That a new Section 6 be added to the Ordinance as follows, with the existing Sections 6, 7 & 8 renumbered accordingly:

Section 6. that if it is determined, as a result of the audit, that the Palladium Phase One Private Improvements costs are not consistent with the Palladium project proforma and budgets reviewed by the City Council and its consultants prior to May 22, 2002, the amount of reimbursement for the Palladium Public Improvements costs shall be reduced proportionately.”

Motion seconded by Councilmember Rasansky.

After discussion, Mayor Pro Tem Hill accepted the friendly amendments to Sections 5 and a new Section 6 be added to the ordinance with the existing Sections 6, 7 & 8 renumbered and close the public hearing.

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

After discussion, Mayor Miller called the vote on Mayor Pro Tem Hills’ motion as modified by the friendly amendment:

Voting Yes: [9] Hill, Loza, Garcia, Thornton Reese, Oakley, Chaney, Fantroy,  
Poss, Walne  
Voting No: [6] Miller, Housewright, Finkelman, Rasansky, Greyson, Lill

Mayor Miller declared the motion as modified by the friendly amendment adopted.

Assigned ORDINANCE NO. 24945.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1650

Addendum addition 5: An ordinance amending Chapter 13 of the Dallas City Code to create four municipal courts of record to hear truancy cases and to provide for the selection of municipal judges to preside over those courts - Financing: No cost consideration to the City

Councilmember Chaney moved to pass the ordinance.

Motion seconded by Councilmember Poss.

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. 24946.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1651

Addendum addition 6: Authorize payment of a judgment in a lawsuit styled Brian Lacy v. City of Dallas, Cause No. 001-104-00 - \$20,992 -  
Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1652

Addendum addition 7: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Carrington Coleman Sloman & Blumenthal, L.L.P., for additional legal services and related expenses necessary in matters related to the Dallas Naval Air Station - Not to exceed \$200,000, from \$250,000 to \$450,000 - Financing: Current Funds

Councilmember Housewright moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1653

Addendum addition 8: Authorize a restructuring of the minimum annual guarantee with JCDecaux Airport (formerly Sky Sites) for the advertising concession contract at Dallas Love Field - Total revenue to the City: \$7,500,000, same as original contract (net present value is -\$48,046)

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1654

Addendum addition 9: An ordinance adopting the change of control of the cable television franchise from AT&T Corp. to AT&T Comcast Corporation - Financing: No cost consideration to the City

The following individual addressed the city council regarding the ordinance:

Larry Ihfe, 2705 Meadow Pkwy.

Councilmember Greyson moved to pass the ordinance.

Motion seconded by Councilmember Thornton Reese.

Mayor Pro Tem Hill moved to substitute for Councilmember Greyson's motion to delay consideration of the ordinance until the June 26, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky.

After discussion, Mayor Miller called the vote on Mayor Pro Tem Hill's substitute motion:

Voting Yes: [6] Miller, Hill, Loza, Garcia, Oakley, Rasansky  
Voting No: [9] Housewright, Thornton Reese, Chaney, Fantroy, Poss, Walne, Greyson, Finkelman, Lill

Mayor Miller declared the motion failed.

Mayor Miller then called the vote on Councilmember Greyson's motion:

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24947.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

May 22, 2002

02-1655

Addendum addition 10: An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc., dba AT&T Cable Services, for basic service tier and installation and equipment - Financing: No cost consideration to the City

The following individual addressed the city council regarding TCI Cablevision of Dallas, Inc.:

Dick Kirby, representing AT& T Broadband

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Lill.

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

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24948.

[Councilmember Finkelman asked that the record reflect that she had voted "Yes" on the motion.]



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1656

Addendum addition 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Allright Realty Company, of approximately 29,195 square feet of land located on the north side of Main Street between Akard Street and Four Way Place to provide for additional parking in the downtown retail area - \$2,000,000 - Financing: City Center Tax Increment Financing District Funds

The following individual addressed the city council regarding the Allright Realty Company:

Susan Mead, 1623 Main St., representing Downtown Partnership

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1657

Addendum addition 12: Authorize the conveyance of a pipeline easement and a temporary work space easement, each containing approximately 7,840 square feet of land, to Kinder Morgan North Texas Pipeline, L.P. for the construction and maintenance of a pipeline across City-owned land located near the intersection of FM 548 and University Boulevard in Kaufman County - Revenue: \$1,190

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1658

Addendum addition 13: Authorize an increase in the contract with Satterfield & Pontikes, Inc. for additional labor, materials and overhead expenses resulting from delays during pier drilling operations due to unforeseen sub-surface obstructions and for modifications to provide security upgrades to all elevator cabs in the Jack Evans Police Headquarters building - \$295,110, from \$21,267,915 to \$21,563,025, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Councilmember Poss moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1659

Addendum addition 14: Authorize a Notice of Restriction to deed restrict an unimproved tract of City-owned land containing approximately 102 acres, located in Kaufman and Dallas counties near the base of the Forney Dam - Financing: No cost consideration to the City

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1660

Addendum addition 15: A resolution supporting the Dallas Area Rapid Transit Southeast Corridor light rail transit alignment Option A that fills the Deep Ellum Tunnel and places light rail in the median of Good-Latimer Expressway between Bryan Street and the DART-owned Union Pacific Railroad right-of-way - Financing: No cost consideration to the City

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

Deputy Mayor Pro Tem Loza moved to approve the resolution.

Motion seconded by Councilmember Lill.

Later in the meeting, Councilmember Rasansky stated that he consulted with the city attorney and that he does not have a conflict on this item.

After discussion, Mayor Miller called the vote on Deputy Mayor Pro Tem Loza's motion to approve the resolution.

Mayor Miller declared the motion adopted. (Fantroy abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1661

Addendum addition 16: Authorize intervention as a member of a group of cities served by TXU in two railroad commission cases wherein TXU, and membership in group's steering committee, seeks to collect surcharges in advance from natural gas customers for pipeline construction costs and for future, unpredictable, expenses associated with implementation of a pipeline integrity and safety assessment program - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1662

Addendum addition 17: Authorize a public hearing to be held on June 12, 2002 to receive citizens' comments on the continued use of the Community Development Block Grant to fund public improvement activities for non-profit organizations -  
Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 22, 2002

02-1663

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 22, 2002

EXHIBIT C