

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 26, 2002

02-1890

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 9:30 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 Mayor Miller.

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 5:58 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, JUNE 26, 2002

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 26, 2002

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1891

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: Barbara Williams, 6911 Cliffwood Dr.
REPRESENTING: Concerned Citizens of Cadillac Heights
SUBJECT: Cadillac Heights

SPEAKER: Elijah McGrew, 8524 Military Pkwy.
SUBJECT: False arrest and imprisonment/Violation of 14th Amendment/Cover-up by Administrative judge and bailiff

SPEAKER: Gloria Cervantes, 2810 Melba St.
SUBJECT: Community Problems

SPEAKER: Bonnie Hurd, 3105 Peavy Rd.
SUBJECT: Mistreatment by manager of Martin Luther King Library

SPEAKER: Mary Beth Powers, 11022 Yorkspring Dr.
REPRESENTING: Bistro Bone Appetit, LLC
SUBJECT: New Business

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Albert Cortez, 9730 Shepherd Rd. **NO SHOW**
SUBJECT: Animal Shelter/Homless shelter

SPEAKER: Lueretha Jones-Slack, 7106 Emory oak Ln. **NO SHOW**
REPRESENTING: Martin Luther King Board
SUBJECT: City funding for center

SPEAKER: Lenward Freeman, 816 Newport Wy., DeSoto, Tx **NO SHOW**
SUBJECT: Property, City and School Taxes

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SPEAKER: Benjamin, Pena, 620 Geller Rd., Ferris, Tx
SUBJECT: Housing Department

SPEAKER: Marion Ragsdale, 12392 Ragsdale Cir., Aubrey, TX **NO SHOW**
SUBJECT: Non-Motorized permits

SPEAKER: Rula Bibi, 1408 Baltimore Rd., Richardson, TX
SUBJECT: Personal perspective

SPEAKER: Ruth Wyrick, 3655 Maryland Ave.
SUBJECT: MLK Center

SPEAKER: Nancy Ownbey, 8710 Vinewood Dr. **NO SHOW**
REPRESENTING: Bistro Bone Appetit, LLC
SUBJECT: New Business

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

SPEAKER: Jimmy Lee, 2915 Southland Ave.
REPESENTING: Relief in the Communities, Inc.
SUBJECT: Blacks that are barred from City Hall

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Environmental racism against: Mayor of Dallas/Trinity River Plan/City Code Chapter 19, Sections 82-84

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

SPEAKER: Jan Manimoi, 4117 Druid Hills St. **NO SHOW**
SUBJECT: Malicious, retaliatory and oppressive labeling of people to foster economic disfranchisement

SPEAKER: Billy MacLeon, 4239 McKinney Ave.
SUBJEDT: North Texas Transit Authority oversight

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Obstruction of Justice

SPEAKER: Claud Yeldell, 1624 S. Corinth St.
SUBJECT: Civil penalty/City government

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1892

Item 1: Approval of Minutes of the June 12, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes, as corrected by Councilmember Finkelman. Councilmember Finkelman stated on agenda item 52, page 2, Councilmember Finkelman **moved** to substitute the main motion to close the public hearing, accept the recommendation of the city plan commission with the following change: "That the size of the sign excluding the banner as agreed to with the Deep Ellum Association 16% and bring the ordinance back in a year with two one-year renewal options subject to the approval of the city council."

Also, Councilmember Finkelman stated that on consent agenda item 55 and item 56, on the motion, Councilmember Lill moved to close the public hearing and authorize the adoption of the policy to discontinue use of the Community Development Block Grant with the following amendment:

1. The City of Dallas makes as its ~~legislature~~ **legislative agenda** to lift the 15% cap on public service.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1893

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-71 was presented for consideration.

The city secretary announced that the city manager had deleted agenda item 40 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that Councilmember Chaney had deferred consideration of consent agenda item 65 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Rasansky requested that consent agenda items 2, 15, 22, 27, 29, 35, 41, 43 and 49 be considered as individual items. Mayor Miller stated that consent agenda items 2, 15, 22, 27, 29, 35, 41, 43 and 49 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky 's request.

Councilmember Fantroy requested that consent agenda items 21 and 25 be considered as individual items. Mayor Miller stated that consent agenda items 21 and 25 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Mayor Miller requested that consent agenda items 27 and 59 be considered as individual items. Mayor Miller stated that consent agenda items 27 and 59 would be considered as individual items later in the meeting, there being no objection voiced to her request.

Councilmember Walne moved to approve all items on the consent agenda with the exception of consent agenda item 40 which was deleted, and agenda item 65 which was deferred, consent agenda items 2, 15, 21, 22, 25, 27, 29, 35, 41, 43, 49, 59 and would be considered later in the meeting.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1894

Item 2: Authorize (1) a professional services contract with Hargreaves Associates for the Fair Park Comprehensive Development Plan - \$1,542,000 and (2) an increase in appropriations in the amount of \$475,000 in State Fair of Texas Capital Construction Funds - Financing: 1995 Bond Funds (\$723,578), 1998 Bond Funds (\$283,422), State Fair of Texas Capital Construction Funds (\$475,000), Current Funds (\$50,000) and WRR Current Funds (\$10,000)

Councilmember Rasansky requested that consent agenda item 2 be considered as an individual item. Mayor Miller stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 2 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1895

Item 3: Authorize a professional services contract with Parsons Brinckerhoff Quade & Douglas, Inc. for the design of intersection improvements, sidewalks, curb and gutter replacements on Jefferson Boulevard (east) from Marsalis Avenue to Zang Boulevard - \$42,288 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1896

Item 4: **Downtown Transitway Mall**

Note: Item Nos. 4 and 5 must be considered collectively.

- * Authorize a professional services contract with DKS Associates to provide engineering services related to light rail trains and traffic signal operations in the Downtown Transitway Mall - \$195,000 - Financing: 1995 Bond Funds (to be reimbursed by Dallas Area Rapid Transit)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1897

Item 5: **Downtown Transitway Mall**

Note: Item Nos. 4 and 5 must be considered collectively.

- * Authorize (1) an Interlocal Agreement with Dallas Area Rapid Transit for engineering services related to light rail trains and traffic signal operations in the Downtown Transitway Mall, and (2) the receipt and deposit of funds in an amount not to exceed \$195,000 from the Dallas Area Rapid Transit - \$195,000 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1898

Item 6: Authorize a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide services for the design of the new Doran Pump Station which will be located at 8105 Doran Circle - \$663,888 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1899

Item 7: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the Central Wastewater Treatment Plant mechanical improvements to the final clarifiers, secondary basins, screens and the secondary treatment process - \$2,150,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1900

Item 8: Authorize a professional services contract with Dal-Tech Engineering, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in 29 locations - \$499,994 - Financing: Water Utilities Bond Funds (\$283,707) and Water Utilities Capital Improvement Funds (\$216,287)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1901

Item 9: Authorize a professional services contract with APM & Associates, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in 48 locations - \$997,370 - Financing: Water Utilities Bond Funds (\$683,676) and Water Utilities Capital Improvement Funds (\$313,694)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1902

Item 10: Authorize a contract for the dredging and erosion control improvements at Hall Street Pond in Robert E. Lee Park and creek dredging at William B. Dean Park within the Turtle Creek Parkway - Rimrock Enterprises, Inc., lowest responsible bidder of four - \$479,247 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1903

Item 11: Authorize a contract for the construction of a new recreation center at Park in the Woods - Southcrest Corporation, lowest responsible bidder of ten - \$1,712,468 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1904

Item 12: Authorize a contract for playground improvements at Brownwood, Northaven and Walnut Hill Parks - Parks for Play, Inc., lowest responsible bidder of seven - \$166,126 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1905

Item 13: Authorize a contract for the construction of sidewalk paving improvements for Sidewalk Group 98-115 - Century Services Company, lowest responsible bidder of four - \$106,835 - Financing: 1998 Bond Funds (\$83,015), Capital Assessment Funds (\$23,400), Water Utilities Capital Construction Funds (\$420)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1906

Item 14: Authorize an increase in the contract with Fargo Building Corporation to provide for remedial work required by the United States Department of Agriculture compliance and the American Zoo and Aquarium Association for the Commissary, Quarantine and Lemur Holding Buildings at the Dallas Zoo - \$36,943, from \$939,817 to \$976,760 - Financing: 1995 Bond Funds (\$15,960), 1998 Bond Funds (\$7,735) and Dallas Zoo Trust Funds (\$13,248)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1907

Item 15: Authorize an increase in the contract with Southcrest Corporation to provide miscellaneous modifications for the construction of the restaurant, main entry bridge and flamingo holding building at the Dallas Zoo - \$144,346, from \$3,899,920 to \$4,044,266 - Financing: 1998 Bond Funds

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

Later in the meeting, agenda item 15 was brought up for consideration.

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1908

Item 16: Authorize Supplemental Agreement No. 2 to the contract with Freese and Nichols, Inc. for additional hydraulic analyses, engineering cost estimates, and preparation of reports and exhibits necessary to consider an added flood control alternative, and to consider changes to the Corridor Development Certificate process for the Elm Fork Flood Plain Management Study - \$76,980, from \$512,013 to \$588,993 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1909

Item 17: Authorize an increase in the contract with Abstract Construction Company for the design and construction of a training center to be located in the McCommas Bluff Eco-Business Park to provide an 80-foot extension of Locust Drive - \$79,397, from \$2,447,099 to \$2,526,496 - Financing: Economic Development Administration Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1910

Item 18: Authorize Supplemental Agreement No. 1 to the contract with Edward Just Associates for construction drawings for traffic circulation and roadway signage at Love Field Airport - \$56,740, from \$315,402 to \$372,142 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1911

Item 19: Authorize (1) an increase in the contract with Thos. S. Byrne, Inc. for security enhancements to the parking garage offices, concourse finish upgrades, relocation of underground drainage piping and canopies for the Love Field Parking Garage Expansion in an amount not to exceed \$757,926, from \$39,410,485 to \$40,168,411, and (2) an increase in the contract with Ascom Transport Systems, Inc. for the garage revenue control system in an amount not to exceed \$64,497, from \$1,803,910 to \$1,868,407, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1912

Item 20: Authorize an increase in the contract with Constructors & Associates, Inc. for fire sprinkler replacement for the Dallas Convention Center Lobby C Renovation - \$86,103, from \$844,500 to \$930,603, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1913

Item 21: Authorize an increase in the contract with Manhattan Construction Company for construction changes related to Dallas Area Rapid Transit, structural, mechanical, electrical, fire alarm, architectural, utility, TXU vault, artwork coordination and power for unification projects for the construction of the Dallas Convention Center Expansion and Renovation 2002 project - \$1,041,060, from \$94,356,634 to \$95,397,694, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Councilmember Fantroy requested that consent agenda item 21 be considered as an individual item. Mayor Miller stated that consent agenda item 21 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

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

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

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1914

Item 22: Authorize (1) Supplemental Agreement No. 7 to the contract with Centex-3D/I, a joint venture, to provide additional construction management services for coordination of infrastructure components for an audio/visual system, additional activation points for the voice over internet protocol telephone/data system, infrastructure components for a master antenna television system and modifications to the mechanical, electrical and plumbing systems necessary to accommodate a future Police Museum for the Jack Evans Police Headquarters, which will extend the contract time by thirty-three days, resulting in an increase in general conditions in an amount not to exceed \$125,422, from \$5,655,026 to \$5,780,448, within the Guaranteed Maximum Price, (2) an increase in the interior finish-out contract with Constructors & Associates, Inc. for an upgrade to install the infrastructure for the audio/visual system, additional activation points for the voice over internet protocol telephone/data system, modifications to the mechanical, electrical, and plumbing systems necessary to accommodate a future Police Museum, a patented key system, additional exterior painting and interior lighting revisions in the amount of \$518,250, from \$11,711,618 to \$12,229,868, within the Guaranteed Maximum Price, (3) an increase in the telecommunications cabling contract with DataStar USA for additional activation points in the amount of \$42,784, from \$889,386 to \$932,170, within the Guaranteed Maximum Price, and (4) an increase in the landscape contract with Constructors & Associates, Inc. for installation of energy efficient lighting at the existing parking garage in the amount of \$152,988, from \$1,808,400 to \$1,961,388, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Councilmember Rasansky requested that consent agenda item 22 be considered as an individual item. Mayor Miller stated that consent agenda item 22 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 22 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1915

Item 23: Authorize Supplemental Agreement No. 1 to the professional services contract with Turner Collie & Braden, Inc. to provide engineering services for the replacement or rehabilitation of wastewater mains and replacement of water mains located in an area bounded by Interstate Highway 30, Interstate Highway 635, Interstate Highway 20 and Westmoreland Road - \$162,600, from \$1,380,244 to \$1,542,844 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1916

Item 24: Authorize (1) an amendment to Resolution Nos. 01-2015 and 01-2016 and the Engineering Report approved on June 27, 2001, to delete improvements for Tatum Avenue from Goodman Street north to dead-end from Street Group 98-429; and (2) a public hearing to be held on August 28, 2002, to receive citizens' comments regarding the change in scope of Street Group 98-429; and, consideration at the close of the public hearing of an ordinance amending Ordinance No. 24698, dated August 22, 2001, to cancel the assessments against Tatum Avenue from Goodman Street north to dead-end - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1917

Item 25: Authorize (1) sidewalk paving improvements for Sidewalk Group 98-116; 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 August 14, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Councilmember Fantroy 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 Fantroy's request.

Later in the meeting, agenda item 25 was brought up for consideration.

Councilmember Fantroy moved to defer the item until March, 2003.

Motion seconded by Councilmember Garcia.

After discussion, Councilmember Fantroy amended his original motion to defer the item until the October 9, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1918

Item 26: Authorize (1) street paving, storm drainage, water and wastewater main improvements for Street Group 98-432; 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 August 14, 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

June 26, 2002

02-1919

Item 27: Authorize acquisition from Bill Custas Booziotis, Harriett Kanell Booziotis Lontos, Kathy Ann Booziotis Bolton and The Bill C. Booziotis and Jean H. Booziotis Charitable Remainder Unitrust of approximately 57,233 square feet of unimproved land located near the intersection of Garland Road and Tavaros Avenue for expansion of parking at the Dallas Arboretum - \$468,166 - Financing: 1998 Bond Funds

Mayor Miller and Councilmember Rasansky requested that consent agenda item 27 be considered as an individual item. Mayor Miller stated that consent agenda item 27 would be considered as an individual item later in the meeting, there being no objection voiced to her and Councilmember Rasansky's request.

Later in the meeting, agenda item 27 was brought up for consideration.

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Garcia.

Councilmember Rasansky moved to substitute for Councilmember Poss' motion to delay the item until a new appraisal is done as soon as possible.

Motion seconded by Councilmember Walne.

After discussion, Councilmember Rasansky withdrew his substitute motion.

Councilmember Poss withdrew her original motion.

Councilmember Poss moved to approve the item with the change that the \$468,166 will be up to that amount, that the staff will as soon as possible, do a new appraisal of the currently configured price of land and that if the appraisal differs from the previous appraisal and the seller and the city are unable to come to terms, that staff will come back to the council in August with a new amount or otherwise proceed.

Motion seconded Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1920

Item 28: Authorize acquisition of 10,400 square feet of land from James M. Griffis and Bronwyn Griffis, improved with a single family residence located near the intersection of Mapleshade Lane and Creek Drive - \$162,000 and eligible relocation benefits, not to exceed \$22,500 for owner-occupied property, plus reasonable moving expenses - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1921

Item 29: Authorize an Interlocal Agreement with the City of Grand Prairie for the purpose of identifying respective responsibilities associated with the annexation of Jefferson Boulevard and Jefferson Street located between S.E. 14th Street and Mountain Creek - Financing: No cost consideration to the City

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting, agenda item 29 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Housewright and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1922

Item 30: 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. 24962.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1923

Item 31: An ordinance granting a reciprocal revocable license to the City of Grand Prairie for the purpose of maintaining and using an existing 8-inch water main in Jefferson Boulevard right-of-way located between S. E. 14th Street and Camden Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24963.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1924

Item 32: An ordinance granting a revocable license to WPE Restaurant, LP for the use of approximately 315 square feet of land to maintain existing awnings over a portion of Cedar Springs Road right-of-way located near its intersection with Routh Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24964.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1925

Item 33: Authorize (1) the acceptance of the only bid received for the sale or exchange of a City-owned tract of unimproved land containing approximately 9,510 square feet located near the intersection of Clark Street and Woodall Rodgers Freeway, (2) the acceptance of an unimproved tract of land containing approximately 9,510 square feet located on Woodall Rodgers Freeway near Clark Street, adjacent to the City-owned tract, plus \$7,000 cash consideration, and (3) the conveyance of the City-owned tract to Gables Realty Limited Partnership - Revenue: \$7,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1926

Item 34: An ordinance abandoning a portion of Cobb Street to Baylor Health Care System and Baylor Specialty Health Centers, the abutting owners, containing 12,331 square feet of land located near the intersection of Hall Street and Swiss Avenue and authorizing the quitclaim - Revenue: \$272,515 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24965.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1927

Item 35: Authorize a sixty-month service contract for the collection of delinquent City accounts with the highest responsible bidders of four - Allied Interstate, Inc. and Unique Management Services, Inc. - Estimated Annual Revenue: \$4,124,398

Councilmember Rasansky requested that consent agenda item 35 be considered as an individual item. Mayor Miller stated that consent agenda item 35 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 35 was brought up for consideration.

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1928

Item 36: Authorize a twenty-four-month service contract to provide court reporting services to City departments with each of four proposers - All-American Reporting, Court Reporters Associated, Fuller & Associates, and National Court Reporters - Not to exceed \$220,000 - Financing: Current Funds (\$213,000), Convention and Event Services Current Funds (\$7,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1929

Item 37: Authorize the purchase of a wheel loader from the lowest responsible bidder of five - Crescent Machinery Co. - Not to exceed \$85,360 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1930

Item 38: Authorize the rejection of bids received for crowd management services for the Dallas Convention Center and authorize the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1931

Item 39: Authorize the purchase of a Citywide chargeback software system from the most advantageous proposer of five - CIMS Lab, Inc. - Not to exceed \$182,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1932

Item 40: Authorize the purchase, maintenance, and deployment of a software system that provides security and protection, standardizes communications software and centralizes the distribution of personal computer software for 5,500 computers from the most advantageous proposer of twelve - Corpus, Inc. - Not to exceed \$1,320,000 - Financing: 2000 Equipment Acquisition Contractual Obligation Notes

The city secretary announced that the city manager had deleted agenda item 40 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1933

Item 41: Authorize the purchase of four hybrid-sedan automobiles under the same terms as previously awarded on December 12, 2001, by Resolution #01-3645, from Toyota of Irving - Not to exceed \$80,800 - Financing: 2001 Equipment Acquisition Contractual Obligation Notes

Councilmember Rasansky requested that consent agenda item 41 be considered as an individual item. Mayor Miller stated that consent agenda item 41 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 41 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1934

Item 42: Authorize the purchase of multiple truck cab and chassis from the lowest responsible bidder of two - Metro Ford Truck Sales, Inc. - Not to exceed \$125,985 - Financing: 2001 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1935

Item 43: Authorize a sixty-month service contract for paycard payroll service and maintenance from August 1, 2002 through July 31, 2007 with the most advantageous proposer of five - Skylight Financial, Inc. - \$102,800 annually - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 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 43 was brought up for consideration.

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Walne abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1936

Item 44: Authorize a twenty-four-month price agreement for access to a resource database for Police investigations - Choice Point Business and Government - Sole Source - Not to exceed \$84,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1937

Item 45: Authorize a sixty-month service contract for road hump installation with the lowest responsible bidder of three - Brock Paving Industries, Inc. - Not to exceed \$543,950 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1938

Item 46: Authorize a seventy-two-month service contract to upgrade or replace current incandescent traffic signal heads with LED signal units with the lowest responsible bidder of four - Amtech Lighting Services - Not to exceed \$1,402,128 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1939

Item 47: Authorize a thirty-six-month price agreement for roll carts from the lowest responsible bidder of five - Rehrig Pacific Company - Not to exceed \$536,550 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1940

Item 48: Authorize a thirty-six-month price agreement for caustic soda used in the water treatment process with the lowest responsible bidder of six - Bay Chemical and Supply Company - Not to exceed \$2,155,600 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1941

Item 49: **Price Agreement for Aggregates**

- * Authorize a thirty-six-month price agreement for aggregates with the lowest responsible bidders of nine - Europace, Inc., Sunbelt Materials a subsidiary of Sunbelt Vacuum Service, Inc., Earth Haulers, Inc., Fields Hauling, Eagle Express Truck Services, Inc., Martin Marietta Material Southwest Limited, and Texas Industries - Not to exceed \$7,843,423 - Financing: Current Funds (\$3,289,881), Water Utilities Current Funds (\$4,458,140), Aviation Current Funds (\$95,402)

Councilmember Rasansky requested that consent agenda item 49 be considered as an individual item. Mayor Miller stated that consent agenda item 49 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 49 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1942

Item 50: **Price Agreement for Aggregates**

- * Authorize the rejection of bids received for crushed concrete and the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1943

Item 51: Authorize settlement of a claim filed by Sonya I. Barganier, Claim No. 20022022 - \$12,520 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1944

Item 52: Authorize settlement of a lawsuit, styled Barry Williams, Individually and as Representative of the Estate of Dorothy Walker, Bill Lacy and Dorothy Kennedy v. City of Dallas, Keith Rufus and Lester Williams, Cause No. DV00-06650-A - \$25,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1945

Item 53: Authorize settlement of a lawsuit, styled Patrick Perry, Sr., Individually and as Next Friend of Patrick Perry, Jr., a Minor v. A.C. Smith and City of Dallas, Cause No. 01-07681-J - \$7,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1946

Item 54: Authorize settlement of a lawsuit, styled Angeles Cisneros v. City of Dallas and Joseph Vasquez, Cause No. cc-01-01313-a - \$13,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1947

Item 55: Authorize Supplemental Agreements No. 1 exercising the first of two one-year renewal options to the contracts with each of the four Business Assistance Center (BACs) contractors, to extend for an additional twelve-month period and increase each contract by \$15,000 (\$30,000 for the Greater Dallas Hispanic Chamber of Commerce) as follows: (1) Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$160,000 (\$80,000 each) for BACs #1 and #4; (2) InnerCity Community Development Corporation in an amount not to exceed \$80,000 for BAC #2; and (3) West Dallas Neighborhood Community Development Corporation in an amount not to exceed \$80,000 for BAC #3; and (4) MBA Consultants, Inc. in an amount not to exceed \$80,000 for BAC #5 thereby continuing the management and operation of the five BACs for an additional twelve months - Total not to exceed \$400,000 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1948

Item 56: Authorize (1) a development agreement with J & D Merriman, LTD, to provide for the funding and construction of public improvements related to the redevelopment of the offices at 300 N. Field Street located in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas, (City Center TIF District); (2) the establishment of appropriations in the amount of \$50,000 in the City Center TIF District Fund - Total not to exceed \$50,000 - Financing: City Center TIF Fund (to be paid upon completion of construction and issue of a certificate of occupancy, solely from the City Center TIF Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1949

Item 57: **Farmers Market TIF District**

Note: Item Nos. 57 and 58
must be considered collectively.

- Authorize (1) reimbursement of 100% of eligible engineering and design costs to Camden Property Trust for public improvements for the Park at Farmers Market, Phase IA multi-family project, on Central Expressway and Canton Street located in Tax Increment Reinvestment Financing Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) in an amount of \$160,439; (2) reimbursement of 30% of eligible construction costs to Camden Property Trust for public improvements for the Park at Farmers Market, Phase IA multi-family project in an amount of \$62,854; (3) reimbursement of the construction management fee for public improvements for the Park at Farmers Market, Phase IA multi-family project in an amount of \$2,945; and (4) an increase in appropriations in the amount of \$226,238 in the Farmers Market TIF District Fund - Total not to exceed \$226,238 - Financing: Farmers Market TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1950

Item 58: **Farmers Market TIF District**

Note: Item Nos. 57 and 58
must be considered collectively.

- * A resolution declaring the intent of the City of Dallas to utilize tax increment proceeds to reimburse the Street System Improvement Fund for certain expenditures made under an agreement between Camden Property Trust and the City of Dallas, on behalf of the Farmers Market TIF District, for the purpose of public improvements located in Tax Increment Reinvestment Financing Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) - Financing: \$226,238 to be transferred from city sources and reimbursed with interest from the Farmers Market TIF District Fund and accrued interest to be repaid solely from the Farmers Market TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1951

Item 59: Authorize a real property tax abatement agreement with Wal-Mart Real Estate Business Trust for the purpose of granting a ten-year abatement of 90% of the taxes on new real property value resulting from the development of a Super Wal-Mart to be located within City of Dallas Enterprise Zone One at Pinnacle Park, Dallas, Texas - Revenue: First year new real property tax revenue estimated at \$6,007; ten-year new real property tax revenue estimated at \$60,075; Estimated new real property tax revenue foregone for ten-year abatement \$540,675 - Financing: No cost consideration to the City

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

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

Councilmember Housewright moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1952

Item 60: Authorize the acceptance of a grant from the Texas Department of Health for the enhancement of the City of Dallas Childhood Lead Poisoning Prevention Program for the period July 1, 2002 through June 30, 2003 and execution of the grant agreement - Not to exceed \$60,000 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1953

Item 61: Authorize Contract Renewal No. 2 to the contract with Turtle Creek Manor, Inc. to provide residential substance abuse treatment services for low income and uninsured adults for the period August 1, 2002 through July 31, 2003 - Not to exceed \$154,581 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1954

Item 62: Authorize contracts with the Texas Department of Health for the continuation of local health services including; (1) family health services, (2) community and rural health services, and (3) services to non-Medicaid eligible clients through Title V for the period September 1, 2002 through August 31, 2003 - Not to exceed \$362,754 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1955

Item 63: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement with the Dallas County Department of Health and Human Services to increase funds for the statistician position and equipment to strengthen bio-chemical detection and notifications for the period of October 1, 2001 through September 30, 2002 - Not to exceed \$2,850 - Financing: U. S. Department of Health and Human Services Public Health Service Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1956

Item 64: Authorize (1) a decrease in the supplemental contract with United HealthCare previously authorized by Council Resolution #01-2047, on June 27, 2001 for annual enrollment services and on-going employee benefits administration in the amount (\$1,123,335), from \$2,700,000 to \$1,576,665; and (2) an increase in the contract with Deloitte & Touche, LLP and Lawson Associates, Inc., for annual open enrollment services in conjunction with the Human Resources Information System in the amount of \$700,649, from \$6,189,001 to \$6,889,650 - Total not to exceed \$700,649 for a net savings of \$422,686 - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1957

Item 65: Authorize an amendment to the Program Statement for the Home Repair Program to: (1) effective June 26, 2002, (a) provide that Program loans of \$20,000 or less, excluding lead-based paint compliance costs, are not required to bring the entire structure to Code and (b) increase the maximum Program loan amount from \$27,500 to \$32,500 for on-site reconstruction in connection with an Urban Rehabilitation Standards Board order to vacate and demolish; (2) until September 30, 2002, increase the Program loan amount for voluntary on-site reconstruction from \$50,000 to \$55,000; and (3) effective October 1, 2002, (a) eliminate voluntary on-site reconstruction as a Program loan option and (b) combine major and minor repair loans into one Program loan for basic system repairs with a new loan maximum amount of \$20,000, exclusive of a grant for lead-based paint compliance costs - Financing: No cost consideration to the City

The city secretary announced that Councilmember Chaney had deferred consideration of consent agenda item 65 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

June 26, 2002

02-1958

Item 66: Authorize the reconstruction on site of four homes in accordance with the Home Repair Program Statement requirements for the properties located at 5539 Bonita Avenue, 12155 Dandridge Drive, 2702 Dorris Street, and 915 S. Edgefield Avenue - Not to exceed \$220,000 - Financing: 1999-00 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1959

Item 67: Authorize the acceptance of the Community Cultural Plan as a planning tool for the future development of arts and cultural programs and facilities for the City of Dallas -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1960

Item 68: Authorize the application for a grant from the Collin County Parks Foundation for the development of a 2.3 mile extension of the Preston Ridge Trail, for an estimated total of \$1,099,500 (local match in the amount of \$549,750 will be required if the grant is awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1961

Item 69: An ordinance authorizing a correction to the SUP conditions in Ordinance No. 24907 for a Charter school to correct language governing both ingress and egress to the building and the hours of operation on the south corner of Ross Avenue and Akard Street (Z012-158/11610-C(JC) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24966.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1962

Item 70: Authorize the acceptance of the Dallas Police Department Victim Services/2 grant from the Office of the Governor, Criminal Justice Division in the amount of \$41,410 to adequately respond to victims of violent crime with needed aid, for the period July 1, 2002 through June 30, 2003, a local match in the amount of \$10,353, and execution of the grant agreement - \$51,763 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$41,410) and Current Funds (\$10,353)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1963

Item 71: Authorize the acceptance of the Sexual Assault/Stalking/2 Training grant from the Office of the Governor, Criminal Justice Division in the amount of \$7,463, for the period September 1, 2002 through November 30, 2002, to provide specialized training to detectives who investigate sexual assault and stalking offenses, a local match in the amount of \$2,488, and execution of the grant agreement - \$9,951 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$7,463) and Current Funds (\$2,488)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1964

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 72-77, was presented.

Agenda items 75 and 76 were removed from the consent zoning docket, to be considered as individual hearings.

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

Agenda item 72: Zoning Case Z012-183 (RB)	
Agenda item 73: Zoning Case Z012-199 (JC)	
Agenda item 74: Zoning Case Z012-207 (JC)	
Agenda item 75: Zoning Case Z012-209 (RB)	[Considered individually]
Agenda item 76: Zoning Case Z012-210 (RB)	[Considered individually]
Agenda item 77: Zoning Case Z012-205 (SH)	

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 recommendations.

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

William Hopkins, 2011 Leath St., regarding zoning case Z012-183 (RB)
Marvin Crenshaw, 5134 Malcolm X Blvd., regarding zoning case Z012-183 (RB)

Councilmember Fantroy 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 Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1965

Item 72: Zoning Case Z012-183 (RB)

Zoning Case Z012-183 (RB), an application for and ordinances granting a Specific Use Permit for an Open-enrollment charter school on property zoned an IR Industrial Research District on the northeast corner of Red Bird Lane and Westmoreland Road and the termination of Specific Use Permit No. 169 for an Airport and Allied Uses on that portion encompassing the request site.

(The city plan commission recommended approval for a ten-year period with provisions for automatic renewal for additional ten-year periods, subject to a site/landscape plan and conditions, and approval of the termination of Specific Use Permit No. 169 for an Airport and Allied Uses on that portion encompassing the request site.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24967 and ORDINANCE NO. 24968.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1966

Item 73: Zoning Case Z012-199 (JC)

Zoning Case Z012-199 (JC), an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the east corner of Bernal Drive and Weisenberger Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24969.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1967

Item 74: Zoning Case Z012-207 (JC)

Zoning Case Z012-207 (JC), an application for and an ordinance granting a Specific Use Permit to allow a Tower/antenna for cellular communication on property zoned a CR Community Retail District on Shoreview Road, east of Thurgood Lane.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24970.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1968

Item 75: Zoning Case Z012-209 (RB)

The consent zoning docket , consisting of agenda items 72-77, was presented.

Councilmember Fantroy requested that consent zoning docket item 75 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 75 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting, zoning docket item 75 was brought up for consideration.

A public hearing was called on zoning case Z012-209 (RB), an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an RR Regional Retail District and an MF-2(A) Multifamily District on the south line of Ledbetter Drive, west of Hampton Road.

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

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

Appearing in favor of the city plan commission recommendation.

Jonathan Vinson, 1445 Ross Ave., representing the applicant

The following individual addressed the city council regarding zoning case Z012-209 (RB):

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

“To grant a two-year period, instead of a five-year period, subject to a site plan/landscape plan and conditions and pass the ordinance”

Motion seconded by Councilmember Housewright and unanimously adopted.

Assigned ORDINANCE NO. 24971.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1969

Item 76: Zoning Case Z012-210 (RB)

The consent zoning docket consisting of agenda items 72-77, was presented.

Councilmember Fantroy requested that consent zoning docket item 76 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 76 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting, zoning docket item 76 was brought up for consideration.

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

A public hearing was called on zoning case Z012-210 (RB), an application for and an ordinance granting an amendment to the conceptual plan, development plan, and conditions for Tracts 6 through 13 and Tracts 15 and 16 within Planned Development District No. 247 for Single family, Multiple family, Office, Retail, Commercial, Public school, Country club with private membership, and Open space uses and an amendment to the conceptual plan for the entire land area within PD No. 247 to consolidate Tracts 6 through 13 and Tracts 15 and 16 into Tract 6 on property located on the southwest side of Jefferson Boulevard, west of the G.C.&S.F. Railroad.

(The city plan commission recommended approval.)

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

The following individuals addressed the city council regarding zoning case Z012-210 (RB):

William Hopkins, 2011 Leath St.
Marvin Crenshaw, 5134 Malcolm X Blvd.

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

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

Assigned ORDINANCE NO. 24972.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1970

Item 77: Zoning Case Z012-205 (SH)

Zoning Case Z012-205 (SH), an application for and an ordinance granting an RR Regional Retail District on property zoned a CR Community Retail District, located on the northwest corner of Abrams Road and Northwest Highway (Loop 12) and a resolution accepting deed restrictions volunteered by the applicant.

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24973.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1971

Item 78: Public Hearing – Zoning Case Z990-226/11182-C (BP)

A public hearing was called on zoning case Z990-226/11182-C (BP), an application for and an ordinance granting a Planned Development Subdistrict for MF-3-D Multiple Family Subdistrict Uses on property presently zoned an MF-3-D Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the southeast corner of Oak Lawn Avenue and Holland Avenue.

(The city plan commission recommended approval, subject to a development/landscape plan and conditions.) This item was considered by the City Council at a public hearing on April 11, 2001, August 22, 2001 and again on December 12, 2001, and was taken under advisement until June 26, 2002, with the public hearing open.)

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

Councilmember Lill to close the public hearing, overrule the city plan commission's recommendation and deny the application without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1972

Item 79: Public Hearing - SPECIAL PROVISION SIGN DISTRICT AMENDMENT – INDIVIDUAL

A public hearing was called on SPSD012-002 (SR), an application to consider creation of a new Special Provision Sign District for the West Village, defined as the area generally bounded by Lemmon Avenue East, McKinney Avenue, Blackburn Street, and Cole Avenue and an ordinance implementing the proposal.

(The city plan commission recommended approved.)

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

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

1. Change the definition of flat attached sign to read as follows:

“Flat attached sign means an attached sign projecting 18 inches or less from a building, the face of which is parallel to the building façade.”

2. Change the definition of premise to read as follows:

“Premise means the property in this District” and pass the ordinance.

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

Assigned ORDINANCE NO. 24974.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1973

Item 80: Public Hearing - BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for sidewalk paving for Sidewalk Group 98-117, and at the close of the hearing, authorize a contract for the construction with Roadway Engineering and Construction, Inc., lowest responsible bidder of six - \$101,508 - Financing: Capital Assessment Funds

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 benefit assessment:

Marvin Crenshaw, 5134 Malcolm X Blvd.
William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Housewright and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1974

Item 81: Public Hearing - BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for street paving, storm drainage, water and wastewater main improvements on Mexicana Drive from Canada Drive to dead-end, and at the close of the hearing, authorize a contract for the construction with SYB Construction Company, Inc., lowest responsible bidder of seven - \$1,555,456 - Financing: 1998 Bond Funds (\$1,091,011), Water Utilities Capital Improvement Funds (\$229,600), Water Utilities Bond Funds (\$211,745), Water Utilities Capital Construction Funds (\$23,100)

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

The following individuals addressed the city council regarding the benefit assessments:

Marvin Crenshaw, 5134 Malcolm X Blvd.
William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1975

Item 82: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called to authorize an amendment to the Thoroughfare Plan to designate Davis Street from Fort Worth Avenue to Westmoreland Road as a six-lane divided minor arterial within 100 feet right-of-way and Davis Street from Westmoreland Road to Hampton Avenue as a four-lane divided minor arterial within 80 feet right-of-way and an ordinance implementing the changes - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Thoroughfare Plan:

Barry Knight, 5400 Renaissance Tower
William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Housewright and unanimously adopted.

Assigned ORDINANCE NO. 24975.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1976

Item 83: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called to authorize an amendment to the Thoroughfare Plan to delete La Reunion Parkway from Cockrell Hill Road to Chalk Hill Road and add Cockrell Hill Road from IH 30 to Singleton Boulevard as a principal arterial four-lane divided roadway and an ordinance implementing the change - Financing: No cost consideration to the City.

No one addressed the city council regarding the Thoroughfare Plan.

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

Motion seconded by Councilmember Housewright and unanimously adopted.

Assigned ORDINANCE NO. 24976.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1977

Item 84: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called on to authorize an amendment to the Thoroughfare Plan to reduce the right-of-way of Clark Road from Daniieldale Road to the Cedar Hill city limits from 120 feet right-of-way to 100 feet right-of-way and an ordinance implementing the change - Financing: No cost consideration to the City.

No one addressed the city council regarding the Thoroughfare Plan.

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

Motion seconded by Councilmember Housewright and unanimously adopted.

Assigned ORDINANCE NO. 24977.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1978

Item 85: 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)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1979

Item 86: An ordinance amending Chapter 13 of the Dallas City Code to provide for the collection of court costs and fees in litigation brought in municipal court under Chapter 54 of the Texas Local Government Code; to provide for appeals from municipal court decisions in Chapter 54 cases; and to eliminate, in compliance with state law, a requirement for security deposits to be provided before bail bonds can be executed in municipal court cases - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 24978.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1980

Item 87: Adoption of the Final FY 2002-03 Consolidated Plan Budget for U. S. Department of Housing and Urban Development (HUD) Grant Funds in the amount of \$33,223,990 and Final FY 2001-02 Reprogramming Budget in the amount of \$616,434 and authorization to apply for, accept, and take actions to implement FY 2002-03 HUD grant funds 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) - Financing: U. S. Department of Housing and Urban Development Grant Funds

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.

Councilmember Chaney 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 a divided voice vote, with Councilmember Walne voting "No". (Fantroy, Rasansky abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1981

Item 88: Authorize a replacement housing payment for homeowners, Jack D. Stubbs, Jr. and Margaret A. Stubbs, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$22,500 - Financing: Current Funds

Councilmember Lill moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

Councilmember Greyson asked Councilmember Lill if she would accept a friendly amendment to pursuit this issue for an ordinance change and potential change of State laws through the Legislative Affairs Committee.

Councilmember Lill accepted the amendment as part of her motion.

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

After discussion, Mayor Miller called the vote on Councilmember Lill's motion as modified by the friendly amendment.

Mayor Miller declared the motion as modified by the friendly amendment adopted on a divided voice vote, with Councilmembers Greyson and Rasansky voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1982

Closed Session

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

- Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H
- Jill Muncy, et al. v. City of Dallas, et al., Civil Action No. 3:99-CV-2960-P, consolidated with Robert Jackson, et al. v. City of Dallas, et al., Civil Action No. 3:00-CV-588-H
- Baby Dolls Topless Saloons, Inc., et al., v. City of Dallas, Cause No. 00-10651, U.S. Fifth Circuit Court of Appeals
- City of Columbus, et al., v. Ours Garage and Wrecker Service, Inc., et al., 536 U.S., United States Supreme Court
- Charles Miller v. City of Dallas, Civil Action No. 3:98-CV-2955-D
- Legal issues regarding the Dallas Naval Air Station
- Legal issues regarding the compensation for use of public rights-of-way
- Texas Queen Bankruptcy - Lake Ray Hubbard Concession

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.)

- Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H
- Baby Dolls Topless Saloons, Inc., et al., v. City of Dallas, Cause No. 00-10651, U.S. Fifth Circuit Court of Appeals
- City of Columbus, et al., v. Ours Garage and Wrecker Service, Inc., et al., 536 U.S., United States Supreme Court
- Charles Miller v. City of Dallas, Civil Action No. 3:98-CV-2955-D
- Legal issues regarding the Dallas Naval Air Station
- Legal issues regarding the compensation for use of public rights-of-way
- Texas Queen Bankruptcy - Lake Ray Hubbard Concession

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1983

Addendum addition 1: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Councilmember Greyson moved to appoint Terri Adkisson and Joyce B. Foreman and co-nominate Beatrice Alva Martinez to the DART Board

Motion seconded by Councilmember Housewright and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1984

Addendum addition 2: Authorize the City Attorney to proceed with settlement of the lawsuit, styled City of Dallas v. United States of America, Cause No. 01-284C, regarding the Dallas Naval Air Station - Financing: No cost consideration to the City

Councilmember Housewright moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1985

Addendum addition 3: Authorize a professional services contract with KPMG, LLP, to provide legal services in the lawsuit, styled Kenneth E. Albert v. City of Dallas, No. 199-697-94, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$180,000 - Financing: Current Funds

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1986

Addendum addition 4: Authorize Supplemental Agreement No. 2 to the contract with Dallas Convention and Visitors Bureau (DCVB) to (1) provide additional marketing and promotional services for the City (2) require the DCVB to pay for future capital improvements at WRR Municipal Radio facilities in an amount not less than \$1,050,000, and (3) require DCVB to establish a reserve fund in an amount not less than \$1,000,000 to address future budget deficiencies - Total not to exceed \$950,000 - Financing: WRR Current Funds

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1987

Addendum addition 5: Authorize public disclosure of a conflict of interest involving Murriel Webb, Executive Director and board member of SPIDA, Inc. and Tommy D. Webb, her husband and a SPIDA, Inc., board member, owners of property to be renovated using Community Development Block Grant Funds, in compliance with HUD directives governing Community Development Block Grant conflict of interest provisions pursuant to funding a secured, no-interest, forgivable loan agreement with SPIDA, Inc., dba Braswell Child Development Center, to renovate its facility located at 2203 Second Avenue - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1988

Addendum addition 6: Authorize preparation of plans for issuance of an amount not to exceed \$195,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2002-A - Financing: No cost consideration to the City

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1989

Addendum addition 7: Authorize modifications to the two bond underwriting syndicates previously approved on May 12, 1999 by Council Resolution No. 99-1619 for future negotiated bond financings - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1990

Addendum addition 8: An ordinance authorizing the issuance and sale of an amount not to exceed \$195,000,000 City of Dallas, Texas Waterworks and Sewer System Revenue Refunding Bonds, Series 2002-A; establishing parameters regarding the sale of the Bonds; approving the execution of a forward delivery purchase contract and an escrow agreement; and all other matters related thereto - Financing: No cost consideration to the City

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Poss and unanimously adopted.

Assigned ORDINANCE NO. 24979.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1991

Addendum addition 9: Authorize the preparation of plans to increase the maximum principal amount at any one time outstanding of the City of Dallas Waterworks and Sewer System Commercial Paper Notes, Series B, from \$150,000,000 to \$200,000,000 and to resolve other matters related to the issuance, sale, security and delivery of such short-term obligations - Total not to exceed \$1,045,310 (\$128,050 up-front closing costs, plus annual fees of \$98,630 for a total 9 years and 3 months cost of \$917,260) - Financing: Water Utilities Current Funds

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1992

Addendum addition 10: An ordinance establishing new residential, commercial and industrial rates for natural gas service to be charged by TXU Gas Company -
Financing: No cost consideration to the City

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Walne.

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

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

Voting No: [2] Chaney, Rasansky

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24980.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1993

Addendum addition 11: An ordinance abandoning a fire lane, access and utility easement to WXIII/PWM Real Estate Limited Partnership, the abutting owner, containing approximately 12,146 square feet of land located near the intersection of Belt Line Road and Montfort Drive, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Greyson moved to pass the ordinance.

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

Assigned ORDINANCE NO. 24981.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1994

Addendum addition 12: An ordinance abandoning a drainage easement to McKamy Creek Shopping Center, Ltd., the abutting owner, containing approximately 8,269 square feet of land located near the intersection of Frankford Road and IH 190, and authorizing the quitclaim and providing for the dedication of a new drainage easement - Revenue: \$1,500 plus the \$20 ordinance publication fee

The city secretary announced that Councilmember Greyson had deferred consideration of addendum addition 12 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted, Councilmember Greyson stated that she had notified the city secretary in writing that she had deferred addendum addition 12 until the next voting agenda meeting, but that she withdraw the deferral and consider the item as an individual item.

Mayor Miller stated that addendum addition 12 would be considered later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition 12 was brought up for consideration.

Councilmember Greyson moved to suspend the rules of the council in order to consider addendum addition 12 and to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 24882.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1995

Addendum addition 13: An ordinance closing Gibbons Drive at Haverwood Lane to all vehicular traffic, pursuant to Resolution No. 93-4028, which authorizes the Policy for Closure of Local Residential Streets to Through Vehicular Traffic - Revenue: \$1,500 plus the \$20 ordinance publication fee

The following individuals addressed the city council regarding the ordinance:

Deborah Gallier, 18551 Gibbons Dr.
Mary Ellen, Peter, 4408 Buttonwood Ct.
Tom Meredith, 18619 Gibbons Dr.

The following individuals were in favor of the ordinance but did not speak:

Marilyn Nappen, 18679 Gibbons Dr.
Stan Bunat, 18727 Tall Oak Dr.
Randy Chambers, 18732 Gibbons Dr.
Doug Peter, 4408 Buttonwood Ct.
James England, 18743 Gibbons Dr.
Andrew Tenney, 4369 Timberglen Dr.
Mary Anderwald, 18656 Gibbons Dr.
Julie Haymann, 18509 Gibbons Dr.
Sarah Gunderson, 18751 Gibbons Dr.
Michael Finfer, 18628 Gibbons Dr.
Kathy Byrd, 18695 Gibbons Dr.
Kevin Byrd, 18695 Gibbons Dr.
Stacey Morrow, 1863 Tall Oak Dr.
Raj Persad, 18515 Gibbons Dr.
John Pacholski, 18652 Gibbons Dr.
Mary Nix, 18691 Gibbons Dr.
Bill Hicholson, 18739 Tall Oak Dr.
Jorge Leong, 18707 Tall Oak Dr.
Billy Chang, 18601 Tall Oak Dr.
Debra Asher, 18683 Gibbons Dr.
Brent Harvey, 18687 Gibbons Dr.

Councilmember Greyson moved to pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted.

Assigned ORDINANCE NO. 24983.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1996

Addendum addition 14: An ordinance amending Article VII "Sign Regulations" of Chapter 51A of the Dallas Development Code to revise regulations for the Deep Ellum Special Provision Sign District to allow wallscape signage on the exterior of buildings exceeding 79 feet in height (SPSD 012-004) - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Lill and unanimously adopted.

Assigned ORDINANCE NO. 24984.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1997

Addendum addition 15: Authorize an increase in the contract with Manhattan Construction Company for a metal roof deck at Exhibit Hall F for the construction of the Dallas Convention Center Expansion and Renovation 2002 project - \$176,229, from \$95,397,694 to \$95,573,923, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1998

Addendum addition 16: Authorize an increase in the contract with Constructors & Associates, Inc. to provide two proxy reader islands, electrical step-down transformer, emergency repair of a natural gas line leak, and extend the contract duration by twenty-one days for the Northwest Service Center - \$46,989, from \$1,025,343 to \$1,072,332 - Financing: Northwest Service Center Relocation Funds

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1999

Addendum addition 17: Authorize (1) an increase in the contract with Brazos Masonry to provide autoclaved aerated concrete panels for the tower at the Latino Cultural Center in an amount not to exceed \$46,212, from \$480,870 to \$527,082, within the Guaranteed Maximum Price, (2) an increase in the contract with Phoenix One Restoration and Construction, Ltd. to provide portland cement plaster for the tower in an amount not to exceed \$29,300, from \$248,400 to \$277,700, within the Guaranteed Maximum Price, (3) an increase in the contract with Dallas Concrete Contractors, Inc. to provide foundation work, such as concrete walls, grade beams and concrete slab for the tower and plaza fountain, in an amount not to exceed \$64,346, from \$689,849 to \$754,895, within the Guaranteed Maximum Price, (4) two contracts for construction materials and services in an amount not to exceed \$256,911, within the Guaranteed Maximum Price (list attached), and, (5) assignment of the contracts to Thos. S. Byrne, Inc., for construction management - Financing: No additional cost consideration to the City

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

Councilmember Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2000

Addendum addition 18: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Centennial/Miami Drive from Buttercup Lane to Elam Road - Rycon, Inc., lowest responsible bidder of eight - \$571,474 - Financing: 1998 Bond Funds (\$366,500), Water Utilities Capital Construction Funds (\$204,974)

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2001

Addendum addition 19: Authorize a contract for the reconstruction of alley paving between Spring Valley Road and Meadowcreek Drive from Hillcrest Road to Brookcrest Drive - Rycon, Inc., lowest responsible bidder of nine - \$144,907- Financing: 1998 Bond Funds

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2002

Addendum addition 20: Authorize a contract for damaged roof tile replacement and leak repairs at the Degolyer Main House located at 8525 Garland Road - Castro Roofing of Texas, Inc. - Only bidder - \$53,455 - Financing: Capital Construction Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Housewright and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2003

Addendum addition 21: A resolution declaring intent of the City of Dallas to consider granting Tax Increment Financing for eligible project costs, tax abatements, and development fee rebates to Urban Partners, Inc. for the development and redevelopment of the Mercantile Project bounded by Main, St. Paul, Commerce and Ervay Streets in Tax Increment Financing Zone Number Five (City Center TIF District) prior to September 1, 2002 - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the resolution.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2004

Addendum addition 22: Authorize the City Manager to negotiate and enter into a lease and concession agreement for the purchase of the Texas Queen passenger boat, pursuant to the order of the Federal Bankruptcy Court, to operate a commercial passenger boat service on Lake Ray Hubbard - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2005

Addendum addition 23: Authorize a professional services contract with the law firm of Bell, Nunnally & Martin LLP, to provide legal services in the lawsuits styled Jill Muncy, et al. v. City of Dallas, et al., Civil Action No. 3:99-CV-2960-P, consolidated with Robert Jackson, et al. v. City of Dallas, et al., Civil Action No. 3:00-CV-588-H, and any other proceedings relating to the subject matter of the lawsuits - Not to exceed \$50,000 - Financing: Current Funds

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2006

Addendum addition 24: An ordinance granting a private license to Anland 2A, L.P., Anland 10, L.P., Anland 15, L.P., Anland 1A/1C, L.P., Anland 5B/6, L.P., Anland 16, L.P., Anland South L.P., Anland North, L.P., Anland North II, L.P. and Victory Plaza Buildings, L.P., to install, use and maintain pedestrian lighting, non-revenue generating banners, non-revenue generating government signs, and non-revenue generating movement control ~~non-premise and protective~~ signs to serve the American Airlines Center and the Victory Development on public rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

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

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Lill abstain)

Assigned ORDINANCE NO. 24985.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2007

Second Addendum

Addendum addition 1: An ordinance ordering a new election to be held in the City of Dallas on Saturday, July 27, 2002 for the purpose of electing a member of the City Council to represent Place 4 for the term ending June 9, 2003 – Financing: No cost consideration to the City of Dallas

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Lill.

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

Voting Yes:	[13]	Miller, Hill, Loza, Garcia, Oakley, Chaney, Fantroy, Poss, Walne, Finkelman, Greyson, Rasansky, Lill
Voting No:	[1]	Thornton Reese
Absent when vote taken:	[1]	Housewright

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 24986.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2008

Second Addendum

Addendum addition 2: A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Dallas County and the Dallas Independent School District for the conduct of a joint election to be held on Saturday, July 27, 2002 – Not to exceed \$75,000 – Financing: Current Funds

Councilmember Walne moved to approve the resolution.

Motion seconded by Councilmember Lill.

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

Voting Yes:	[13]	Miller, Hill, Loza, Garcia, Oakley, Chaney, Fantroy, Poss, Walne, Finkelman, Greyson, Rasansky, Lill
Voting No:	[1]	Thornton Reese
Absent when vote taken:	[1]	Housewright

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2009

Second Addendum

Addendum addition 3: A resolution approving the appointment of citizens to serve as election judges for the July 27, 2002 joint election – Financing: No cost consideration to the City

Councilmember Walne moved to approve resolution.

Motion seconded by Councilmember Lill.

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

Voting Yes:	[13]	Miller, Hill, Loza, Garcia, Oakley, Chaney, Fantroy, Poss, Walne, Finkelman, Greyson, Rasansky, Lill
Voting No:	[1]	Thornton Reese
Absent when vote taken:	[1]	Housewright

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2010

Second Addendum

Addendum addition 4: A resolution authorizing the Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the July 27, 2002 election and submit a canvass report to the full City Council on Thursday, August 1, 2002 – Financing: No cost consideration to the City of Dallas

Mayor Miller moved to appoint Councilmember Chaney as chair, Councilmember Oakley, Councilmember Rasansky and Councilmember Poss, as alternate, to serve as the canvassing committee to review the returns of the July 27, 2002 election, followed by a special called meeting of the full council at 10:00 a.m. in the city council chamber.

Councilmember Walne moved to approve the resolution.

Motion seconded by Councilmember Lill.

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

Voting Yes:	[13]	Miller, Hill, Loza, Garcia, Oakley, Chaney, Fantroy, Poss, Walne, Finkelman, Greyson, Rasansky, Lill
Voting No:	[1]	Thornton Reese
Absent when vote taken:	[1]	Housewright

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-2011

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, JUNE 26, 2002

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 26, 2002

02-1890

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]

CORRECTIONS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1892

Item 1: Approval of Minutes of the June 12, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes, as corrected by Councilmember Finkelman. Councilmember Finkelman stated on agenda item 52, page 2, Councilmember Finkelman **moved** to substitute the main motion to close the public hearing, accept the recommendation of the city plan commission with the following change: "That the size of the sign excluding the banner as agreed to with the Deep Ellum Association 16% and bring the ordinance back in a year with two one-year renewal options subject to the approval of the city council."

Also, Councilmember Finkelman stated that on consent agenda item 55 and item 56, on the motion, Councilmember Lill moved to close the public hearing and authorize the adoption of the policy to discontinue use of the Community Development Block Grant with the following amendment:

1. The City of Dallas makes as its ~~legislature~~ **legislative agenda** to lift the 15% cap on public service.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 26, 2002

02-1919

Item 27: Authorize acquisition from Bill Custas Booziotis, Harriett Kanell Booziotis Lontos, Kathy Ann Booziotis Bolton and The Bill C. Booziotis and Jean H. Booziotis Charitable Remainder Unitrust of approximately 57,233 square feet of unimproved land located near the intersection of Garland Road and Tavaros Avenue for expansion of parking at the Dallas Arboretum - \$468,166 - Financing: 1998 Bond Funds

Mayor Miller and Councilmember Rasansky requested that consent agenda item 27 be considered as an individual item. Mayor Miller stated that consent agenda item 27 would be considered as an individual item later in the meeting, there being no objection voiced to her and Councilmember Rasansky's request.

Later in the meeting, agenda item 27 was brought up for consideration.

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Garcia.

Councilmember Rasansky moved to substitute for Councilmember Poss' motion to delay the item until a new appraisal is done as soon as possible.

Motion seconded by Councilmember Walne.

After discussion, Councilmember Rasansky withdrew his substitute motion.

Councilmember Poss withdrew her original motion.

Councilmember Poss moved to approve the item with the change that the \$468,166 will be up to that amount, that the staff will as soon as possible, do a new appraisal of the currently configured price of land and that if the appraisal differs from the previous appraisal and the seller and the city are unable to come to terms, that staff will come back to the council in August with a new amount or otherwise proceed.

Motion seconded Councilmember Rasansky and unanimously adopted.