

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2002

02-2180

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 9:29 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 the Mayor of the Day, Alicia Reich, Ursula Academy.

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 2:28 p.m.

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Mayor

ATTEST:

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City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2002

EXHIBIT A

9/5/02 11:20 AM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2002

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2181

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: Marty McManus, 7065 Fairdale Ave.  
REPRESENTING: Human Society of Greater Dallas  
SUBJECT: Neighborhood Association Meetings

SPEAKER: Dennis Ficke, 10454 E. Northwest Hwy. **NO SHOW**  
SUBJECT: Retaliation by a landlord against a tenant regarding code violations

SPEAKER: Dewayne Dallas, 6266 St. Albans Dr.  
SUBJECT: Shortfall or what?

SPEAKER: Robin Wager, 5827 Portsmouth Ln.  
REPRESENTING: United for Peace & Justice  
SUBJECT: Infringement of rights

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Civil Rights violation against Chief of Police/Southwest Station/KKK/DISD

**ADDITIONAL – OPEN MICROPHONE – BEGINNING OF MEETING:**

SPEAKER: Enid Breakstone, 10356 Estacado Dr. **NAME NOT CALLED**  
REPRESENTING: The Queenie Foundation  
SUBJECT: National Homeless Animal's Day

SPEAKER: Michael Simmons, 2515 Lawrence St. **NAME NOT CALLED**  
REPRESENTING: Simmons Custom Painting  
SUBJECT: Theft of services by: Madie Berry/Joseph Avina/City of Dallas Housing Department

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER:	Roy Williams, 5881 Preston View Blvd.	<b>CANCELED</b>
SUBJECT:	Cadillac Heights - Those left behind	
SPEAKER:	Pat Rosenthal, 4406 Park Ln.	<b>NO SHOW</b>
SUBJECT:	The Arts - Cultural Affairs	
SPEAKER:	Jimmy Lee, 2915 Southland St.	<b>NO SHOW</b>
REPRESENTING:	Relief in the Communities Inc.	
SUBJECT:	Denying traffic bumps at 2900 Southland	
SPEAKER:	Debra Johnson, 408 Park Ave.	<b>NO SHOW</b>
SUBJECT:	Panhandling	
SPEAKER:	Lee Papert, 11828 Cheswick St.	<b>CANCELED</b>
SUBJECT:	City Budget	
SPEAKER:	Sharon Thomas, 8423 Glen Regal Rd.	
SUBJECT:	Proposal for Budget Cuts	
SPEAKER:	Jurline Hollins, 2832 Marjorie Ave.	<b>NO SHOW</b>
SUBJECT:	Plantation politics/Predators Southwestern Bell/Mayor/Councilmembers	
SPEAKER:	Cliff Pearson, 7130 San Mateo Blvd.	<b>NO SHOW</b>
REPRESENTING:	Green Party of Dallas	
SPEAKER:	City Budget	
SPEAKER:	James Sacantlen, 1005 County Rd. 143 Kaufman, TX	
SUBJECT:	Budget issues	
SPEAKER:	Leonard Mitchell, 704 Meandering Dr., Cedar Hill, TX	<b>NO SHOW</b>
SUBJECT:	Dallas Police Department & Internal Affairs	
SPEAKER:	Albert Taylor, 1706A Kynette Dr., Euless, TX	
SUBJECT:	Proposed reductions in force - RIF	

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2182

Item 1: Approval of Minutes of the June 26, 2002 City Council Meeting

Councilmember Thornton Reese moved to approve the minutes.

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

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2183

## 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 items 18, 22, 66 and 67 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Fantroy requested that consent agenda items 2, 3, and 51 be considered as individual items. Mayor Miller stated that consent agenda items 2, 3 and 51 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Councilmember Lill requested that consent agenda items 5, 10 and 13 be considered as individual items. Mayor Miller stated that consent agenda items 5, 10 and 13 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Lill's request.

Councilmember Rasansky requested that consent agenda items 7, 17, 29, 51 and 58 be considered as individual items. Mayor Miller stated that consent agenda items 7, 17, 29, 51 and 58 would be considered as individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Chaney requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Garcia requested that consent agenda item 45 be considered as an individual item. Mayor Miller stated that consent agenda item 45 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda with the exception of consent agenda items 18, 22, 66 and 67 which were deleted, and consent agenda items 2, 3, 5, 7, 10, 13, 17, 29, 34, 45, 51 and 58 and would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2184

Item 2: Authorize (1) a professional services contract with Brown, Reynolds and Watford Architects, Inc. for a feasibility study and master plan for the Trinity Interpretive Center, Trinity Equestrian Center and other associated components, and (2) assignment of the contract to the Park and Recreation Department to manage - \$500,000 - Financing: 1998 Bond Funds

Councilmember Fantroy 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 Fantroy's request.

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2185

Item 3: Authorize a professional services contract with Biggs and Mathews Environmental for the design, preparation of construction drawings and specifications for Waste Cell No. 5, and providing quarterly and annual airspace estimates for McCommas Bluff Landfill - Not to exceed \$85,000 - Financing: Current Funds

Councilmember Fantroy requested that consent agenda item 3 be considered as an individual item. Mayor Miller stated that consent agenda item 3 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 3 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2186

Item 4: Authorize a contract for exterior renovation including demolition, concrete, lighting, plaster, glazing, storefront, fencing and anti-graffiti coating at Kiest Park Recreation Center - Vortex Construction, lowest responsible bidder of two - \$243,736 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2187

Item 5: Authorize (1) a contract for the construction of street paving, streetscaping, utilities, storm drainage, water and wastewater main improvements, State-Thomas Phase XI, at the northeast corner of State Street and Worthington Street located in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) with Gibson & Associates, Inc., lowest responsible bidder of three, in an amount not to exceed \$713,780, (2) assignment of the construction contract to Perry Homes, a joint venture, for construction administration, and (3) payment to Perry Homes, a joint venture, in an amount not to exceed \$164,802 for design, construction administration and street lighting - Total not to exceed \$878,582 - Financing: Private Funds (Advance from Perry Homes, a joint venture, to the State-Thomas TIF District Fund)

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

Later in the meeting, agenda item 5 was brought up for consideration.

Councilmember Lill moved to suspend the rule to allow Julian B. Castelli to speak.

Motion seconded by Deputy Mayor Pro Tem Loza.

The following individual addressed the city council regarding the contract:

Julian B. Castelli, 2302 Thomas Ave.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2188

Item 6: Authorize a contract for the construction of three additional anaerobic digesters at the Southside Wastewater Treatment Plant - Eagle Contracting, L.P., lowest responsible bidder of three - \$21,271,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2189

Item 7: Authorize (1) Supplemental Agreement No. 2 to the contract with Brown Reynolds Watford Architects, Inc. to provide structural analysis of shrouding and hoisting loading effects for the communications towers located at 3131 Dawson Street and Fair Park and design and preparation of bid documents for a communications tower at Fire Station No. 37, located at Greenville Avenue and Blackwell Street, in an amount not to exceed \$41,950, from \$75,545 to \$117,495, and (2) a contract for structural repairs to two communications towers located at 3131 Dawson Street and Fair Park and preparation and recoating of the 3131 Dawson Street tower with J & N International Coatings, Inc., lowest responsible bidder of two, in an amount not to exceed \$538,000 - Total not to exceed \$579,950 - Financing: Capital Construction Funds (\$549,000), Communication Service Funds (\$30,950)

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

Later in the meeting, agenda item 7 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2190

Item 8: Authorize an increase in the contract with Manhattan Construction Company for construction changes related to civil, structural, electrical, TXU vault, mechanical, plumbing, fire protection, and architectural work for the Dallas Convention Center Expansion & Renovation 2002 project - \$721,249, from \$95,573,923 to \$96,295,172, 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

August 14, 2002

02-2191

Item 9: Authorize an increase in the contract with Constructors & Associates, Inc. for exterior concrete step repair at the upper plaza adjacent to Pioneer Cemetery for the Dallas Convention Center Unification project - \$31,143, from \$939,332 to \$970,475, 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

August 14, 2002

02-2192

Item 10: Authorize Supplemental Agreement No. 1 to the contract with HBC Engineering, Inc. for additional construction material testing services during construction of the Dallas Convention Center Expansion and Renovation 2002 project - \$78,000, from \$535,994 to \$613,994 - Financing: 1998 Convention Center Expansion Funds

Councilmember Lill requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 10 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

August 14, 2002

02-2193

Item 11: Authorize (1) an increase in the contract with Satterfield & Pontikes, Inc. to provide magnetic lock revisions, a revision to the parapet wall radius, extension of the telephone ductbank, revision of the metal roof, elevator and stair roof penthouse revisions, and electrical revisions at the Jack Evans Police Headquarters facility in an amount not to exceed \$414,830, from \$21,694,366 to \$22,109,196, within the Guaranteed Maximum Price, (2) an increase in the contract with Constructors & Associates, Inc. to provide additional door security devices, lighting revisions at elevator vestibules, electrical and ceiling modifications to accommodate a future Police Museum, and lighting revisions at the lobby for the public art installation, in an amount not to exceed \$144,835, from \$12,356,678 to \$12,501,513, 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

August 14, 2002

02-2194

Item 12: Authorize an increase in the agreement with the Texas Department of Transportation for the relocation of an 8-inch water main in State Highway Spur 482 - \$7,500, from \$5,000 to \$12,500 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2195

Item 13: Authorize an Interlocal Agreement with the Texas Department of Transportation to upgrade traffic signal hardware at the intersection of Gaston Avenue and Hall Street  
- \$7,000 - Financing: 1998 Bond Funds

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

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

Councilmember Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2196

Item 14: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dorothy I. Davis, Trustee of Gordon R. Davis, Sr., and Dorothy I. Davis Revocable Living Trust, of approximately 34 acres of land improved with a single family dwelling located near the intersection of Berry Drive and Union Pacific Railroad for the East Side Water Treatment Plant - \$753,000 and eligible relocation benefits, not to exceed \$22,500 for owner-occupied property, plus reasonable moving expenses - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2197

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from P. D. England, Ltd. of approximately 1,592 square feet of unimproved land located near the intersection of Tatum Avenue and Goodman Street for Tatum Avenue street improvements - \$5,250 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2198

Item 16: Authorize settlement in lieu of proceeding with condemnation of Guadalupe Moreno for approximately 6,875 square feet of land improved with a single family dwelling located near the intersection of Dawson and Baylor Streets for the Central Service Center Project - \$50,000 and eligible relocation benefits, not to exceed \$22,500, for owner-occupied property, plus reasonable moving expenses - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2199

Item 17: An ordinance abandoning certain air rights over a portion of Caroline Street to IC Development XII, Ltd., the abutting owner, containing approximately 6,996 square feet located near its intersection with Olin Welborn Street, providing for the dedication of approximately 3,473 square feet of land needed for street right-of-way, and authorizing the quitclaim - Revenue: \$164,405 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 17 be considered as an individual item. Mayor Miller stated that consent agenda item 17 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 17 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

Assigned ORDINANCE NO. 24987.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2200

Item 18: An ordinance abandoning a utility easement containing approximately 4,010 square feet of land, water easements containing approximately 3,070 square feet of land and a sanitary sewer easement containing approximately 2,198 square feet of land located near the intersection of Skillman Street and Fisher Road to W. W. Caruth, Jr. Foundation, the abutting owner, providing for the dedication of new easements and providing for the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

The city secretary announced that the city manager had deleted agenda item 18 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2201

Item 19: An ordinance granting a revocable license to Smith & Hawken, Ltd. for the use of approximately 591 square feet of land to maintain existing landscaping, a fence and patio on a portion of Travis Street right-of-way located near its intersection with Knox Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24988.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2202

Item 20. An ordinance abandoning a fire lane easement to David A. Walker, the abutting owner, containing approximately 16,549 square feet of land located near the intersection of Ledbetter Drive and Duncanville Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24989.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2203

Item 21: An ordinance abandoning a fire lane easement to Oak Hollow Housing, L.P., the abutting owner, containing approximately 23,652 square feet of land located near the intersection of Ledbetter Drive and Bonnie View Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24990.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2204

Item 22: An ordinance abandoning a sewer easement to Homer J. Rader, Jr., the abutting owner, containing approximately 2,239 square feet of land located near the intersection of Wood and St. Paul Streets, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

The city secretary announced that the city manager had deleted agenda item 22 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2205

Item 23: An ordinance abandoning a utility easement to J. G. Moore & Co., Inc., the abutting owner containing approximately 7,357 square feet of land located near the intersection of Pavillion and San Jacinto Streets, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24991.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2206

Item 24: An ordinance granting a private license to DDC Holdings II, L.P. for the use of approximately 8,171 square feet of land to maintain existing landscaping, irrigation and concrete stair landings on a portion of Slocum Street right-of-way near its intersection with Howell Street - Revenue: \$4,168 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24992.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2207

Item 25: Authorize a thirty-six-month service contract to provide armed security guard services for the Dallas Central Library, Oak Cliff Municipal Center, and Southeast Service Center with the lowest responsible bidder of ten - Ruiz Protective Service, Inc. - Not to exceed \$3,062,400 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2208

Item 26: Authorize a thirty-six-month price agreement for chemicals to treat swimming pools, fountains and water filters with the lowest responsible bidders of three - DCC, Inc., Sunbelt Pools, Inc., and Harcros Chemicals, Inc. - Not to exceed \$943,024 - Financing: Current Funds (\$670,436) and Water Utilities Current Funds (\$272,588)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2209

Item 27: Authorize a thirty-six-month price agreement for cement treated base with the lowest responsible bidders of two - TXI Operations, LP and Beall Concrete Enterprises, Ltd. - Not to exceed \$857,263 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2210

Item 28: Authorize a thirty-six-month price agreement for cardiac and injectable drugs with the lowest responsible bidders of six - Emergency Medical Products, Inc., Ever Ready First Aid & Medical Supply Corp. dba Dixie USA - EMS Supply, Sun Belt Medical Supply, Inc. dba Sun Belt Medical/Emergi-Source and VitaCare, Inc. - Not to exceed \$490,052 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2211

Item 29: Authorize a thirty-six-month price agreement for electrical supplies with the lowest responsible bidder of two - Wesco Distribution - Not to exceed \$5,421,126 - Financing: Water Utilities Current Funds (\$3,509,137), Current Funds (\$1,553,989), Aviation Current Funds (\$120,000), 2001-02 Community Development Grant Funds (\$3,000), Convention and Event Services Current Funds (\$235,000)

Councilmember Rasanky 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 Rasanky's request.

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

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2212

Item 30: Authorize the rejection of bids received for hydraulic cylinder, pump and valve repair 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

August 14, 2002

02-2213

Item 31: Authorize a twenty-four-month service contract to provide non-emergency wrecker service with the lowest responsible bidder of nine - Recovery Systems, Inc. dba Pro Tow - Not to exceed \$762,800 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2214

Item 32: Authorize a thirty-six-month price agreement for ArvinMeritor brake, driveline, axle, clutch and suspension parts for Dallas Fire Department with the lowest responsible bidders of seven - Southwest International Trucks, Inc. and Equipment Southwest, Inc. - Not to exceed \$180,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2215

Item 33: Authorize a thirty-six-month price agreement for emergency road flares with the lowest responsible bidder of five - Standard Fusee Corp. dba Orion Safety Products - Not to exceed \$656,235 - Financing: Current Funds (\$647,363), Water Utilities Current Funds (\$8,872)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2216

Item 34: Authorize a twelve-month service contract for janitorial services at the Morton H. Meyerson Symphony Center with TIBH Industries, Incorporated - Not to exceed \$518,828 - Financing: Current Funds (subject to future appropriations)

Councilmember Chaney requested that consent agenda item 34 be considered as an individual item. Mayor Miller stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, agenda item 34 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2217

Item 35: Authorize a twenty-four-month price agreement for Geographic Information System software, training, and consulting with Environmental Systems Research Institute - Sole Source - Not to exceed \$500,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2218

Item 36: Authorize a twenty-four-month price agreement for plastic sewer couplings and lateral cleanouts with the lowest responsible bidders of four - Dal-Tex Specialty & Manufacturing Co. dba Dallas Specialty & Manufacturing Co., and Mike Harms Associates, Inc. - Not to exceed \$210,512 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2219

Item 37: Ratify an emergency purchase of three vehicles from Prestige Ford to be utilized by and assigned to the Canine Explosive Detection Teams at Dallas Love Field - \$71,998 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2220

Item 38: Authorize (1) application for and acceptance of the Community Prosecution Implementation Grant to implement a Community Prosecution program, for the period June 1, 2002 through November 30, 2003; (2) a cash match estimated to be \$27,002 in FY 2001-02, \$81,007 in FY 2002-03 and \$13,501 in FY 2003-04; and (3) execution of the grant agreement - Total not to exceed \$321,302 - Financing: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Federal Grant Funds (\$199,792), and Current Funds (\$121,510) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2221

Item 39: Authorize settlement of a lawsuit, styled David Womble v. City of Dallas, Cause No. DV-01-05567-K - \$12,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2222

Item 40: Authorize settlement of a lawsuit, styled Jasmine Holt, Individually and as Next Friend of Cinnamon Williams and Jawill Holt, Minors v. Richard Rossman and City of Dallas, Cause No. cc-01-08002-a - \$260,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2223

Item 41: Authorize settlement of a lawsuit, styled Judith Farmer v. City of Dallas and Essaw Griffin, Cause No. cc-01-06965-d - \$7,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2224

Item 42: Authorize settlement of a lawsuit, styled Gloria Rittenhouse v. Emmitt Brown, Individually and d/b/a E&M Remodeling and City of Dallas; Cause No. 00-08149-D - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2225

Item 43: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Ted B. Lyon & Associates, P.C., for additional legal services and related expenses necessary in the lawsuit, styled City of Dallas v. Explorer Pipeline Company, Inc., Atofina Petrochemicals, Inc. fka Fina Oil & Chemical Company, Exxon Mobile Corporation, Inc., Diamond Shamrock Refining & Marketing Company, Inc., Conoco, Inc., Phillips Petroleum Company, Inc., Chevron USA, Inc., Motiva Enterprises, LLC, Equilon Enterprises, LLC, The Premcor Refining Group, Inc., fka Clark Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company fka Amoco Corporation and Does 1 through 100; Cause No. DV00-09678-H, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$300,000, from \$200,000 to \$500,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2226

Item 44: Authorize Supplemental Agreement No. 1 to the professional services contract with Ruhter & Reynolds, Inc., Consulting Economists, for additional services and related expenses necessary in the lawsuit, styled City of Dallas, Texas v. Redbird Development Corporation and First Redbird Development Corporation and Dwaine R. Caraway, Vernon H. Jordan and DFW Contractors, Cause No. DV99-08817-K, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$16,000, from \$15,000 to \$31,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2227

Item 45: Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, for additional legal services and related expenses necessary in the lawsuit styled Donato Garcia and Antonia Garcia a/n/f of Jasmine Garcia and Alex Garcia, Minors v. City of Dallas, et al., Civil Action No. 3:02-CV-0116-P - Not to exceed \$25,000, from \$15,000 to \$40,000 - Financing: Current Funds

Councilmember Garcia requested that consent agenda item 45 be considered as an individual item. Mayor Miller stated that consent agenda item 45 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Later in the meeting, agenda item 45 was brought up for consideration.

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

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2228

Item 46: Authorize application for and acceptance of Federal Aviation Administration Airport Improvement Program Grant Funds for the federal share of the eligible costs for capital improvement projects at Dallas Love Field - Not to exceed \$530,529 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2229

Item 47: Authorize a three-year Interlocal Agreement with Dallas County to provide Dallas County with two-way radio service, equipment, antenna space, microwave service and radio system airtime for the period October 1, 2002 through September 30, 2005 - Revenue: \$225,792

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2230

Item 48: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Program (now known as Home Repair Program) for homeowner Bertha Mae Gross, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$27,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2231

Item 49: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Program (now known as Home Repair Program) for homeowner Bessie Mae Bell, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$27,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2232

Item 50: Authorize a ten-year contract with TranStar Energy Company L.P. with the option for two, five-year additional terms to maintain and operate two public access compressed natural gas fueling sites located on city property at Dawson Street between Baylor and Chestnut Street and in the 8000 block of Denton Drive adjacent to Love Field - Estimated Revenue: \$146,342 over the ten-year term

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2233

Item 51: Authorize a three-year Interlocal Agreement with Dallas Area Rapid Transit for the purpose of providing motorcycle maintenance - Revenue: \$349,399

Councilmembers Fantroy and Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Miller stated that consent agenda item 51 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Fantroy and Rasansky's request.

Later in the meeting, agenda item 51 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.

Councilmember Finkelman moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2234

Item 52: Authorize (1) a public hearing to be held on August 28, 2002 to receive citizens' comments on amendments to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan ("Plan") to modify the City Center TIF District Boundary to include the Hart Furniture Building located at 1929-1933 Elm Street and the Tower Petroleum Building located at 1907 Elm Street, modifications to the Plan and modifications of Ordinances 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and (2) at the close of the public hearing, consideration of an ordinance amending Ordinance Number 22802, previously approved on June 26, 1996, and Ordinance Number 23034, previously approved on February 12, 1997, which approved the Plan, to reflect all such Plan amendments; such actions will not affect the term of the City Center TIF District and will be revenue neutral as to Dallas Independent School District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2235

Item 53: Authorize a Covenant of Purpose, Use and Ownership with the Economic Development Administration that restricts the use, sale, transfer, or conveyance of a City owned 20,000 square foot building and land known as the International Environmental Training and Technology Center located at the Dallas Business Eco-Park for 20 years without the prior written approval of the Assistant Secretary, Economic Development Administration - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2236

Item 54: Authorize the acceptance of a grant from the Texas Department of Health for the continuation of the City of Dallas' Immunization Initiative Program for the period September 1, 2002 through August 31, 2003 - Not to exceed \$254,524 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2237

Item 55: Authorize the acceptance of grant funds from the Texas Commission on Alcohol and Drug Abuse for the provision of substance abuse prevention activities for youth and families citywide for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement - Not to exceed \$255,540 - Financing: Texas Commission on Alcohol and Drug Abuse Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2238

Item 56: Authorize an amendment to the existing contract with the Texas Department of Health for the Diabetes Awareness and Prevention Program, to (1) increase the amount, (2) extend the term to March 31, 2003, and (3) execute the grant agreement - Not to exceed \$40,500, from \$54,000 to \$94,500 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2239

Item 57: Authorize Contract Renewal No. 2 with Homeward Bound, Inc., for the provision of residential substance abuse treatment services for adults for the period October 1, 2002 through September 30, 2003 - Not to exceed \$90,057 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2240

Item 58: Authorize the reconstruction on site of seven homes in accordance with the Home Repair Program Statement requirements for the properties located at 5215 Colonial Avenue, 2519 Crest Avenue, 4320 Hamilton Avenue, 2423 Scotland Drive, 1227 Strickland Street, 4636 Silver Avenue, and 4915 Wellington Street - \$350,000 - Financing: 1999-00 HOME Funds

Councilmember Rasansky requested that consent agenda item 58 be considered as an individual item. Mayor Miller stated that consent agenda item 58 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 58 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2241

Item 59: Authorize a public hearing to be held on August 28, 2002 to receive citizens' comments in preparation of the FY 2002-03 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2242

Item 60: Authorize a thirty-year Interlocal Agreement, with two ten-year renewal options for the City of Rowlett, Texas to operate and manage a portion of Elgin B. Robertson Park at Lake Ray Hubbard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2243

Item 61: An ordinance authorizing a correction to Ordinance No. 23837 for a Parking Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, on Shelby Avenue southwest of Brown Street to correct the lot number (Z989-113/10732-C(SS) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24993.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2244

Item 62: An ordinance authorizing a correction to Ordinance No. 24040 for a Commercial Service District on the northwest side of S. Belt Line Road, southwest of Garden Grove Drive to correct the property description (Z978-249/10584-SE(LS) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24994.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2245

Item 63: An ordinance disannexing approximately six acres of land located adjacent to the Eastern Hills Country Club in Garland and Lake Ray Hubbard in Dallas that was annexed into Dallas in error by Ordinance No. 14886, dated April 28, 1975 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24995.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2246

Item 64: Authorize an excused absence for one member of the City Plan Commission for July 11, 18, and 25, for a planned vacation in accordance with City Council policy and the provisions of Chapter 8 of the Dallas City Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2247

Item 65: Authorize the acceptance of the Commercial Auto Theft Interdiction Squad/10 grant from the Texas Automobile Theft Prevention Authority in the amount of \$650,000, for the period September 1, 2002 through August 31, 2003, to provide a specialized proactive automobile theft program, a local match in an amount not to exceed \$44,289, and execution of the grant agreement - \$694,289 - Financing: Texas Automobile Theft Prevention Authority Grant Funds (\$650,000) and Current Funds (\$44,289)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2248

Item 66: Authorize a Conditional Loan Agreement with the United States Government, Department of the Navy, for the display of a Navy TH-57A helicopter located at the Jack Evans Police Headquarters Building Museum, for the period August 14, 2002 through August 13, 2007 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

Mayor Miller announced that agenda item 66 had been deleted on the addendum, but the council would allow the speakers to speak that had signed up in the city secretary's office in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The following individuals addressed the city council regarding the Conditional Loan Agreement:

Marvin Crenshaw, 5134 Malcolm X Blvd.

Rania Masri, 7309 Haymarket Ln., Raleigh, NC, representing The Institute for Southern Studies

Miriam Ward, 55 Cross Parkway, Burlington, VT, representing Pax Christi Burlington



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2249

Item 67: Authorize execution of a Promissory Note to the U.S. Department of Justice to pay the sum of \$1,066,717 with interest in four annual equal payments of \$289,894; payment schedule commencing October 31, 2002, for repayment of unexpended 1997 Omnibus Appropriations Local Law Enforcement Block Grant Funds - Total not to exceed \$1,159,576 - Financing: Contingency Reserve Funds (\$289,894), Current Funds (\$869,682) (subject to future appropriations)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2250

Item 68: Authorize an Interlocal Agreement with the City of Plano to provide law enforcement support for the operation of the School Liaison Program at Frankford Middle School, a Plano Independent School District Facility, located in the City of Dallas for the period August 14, 2002 through July 31, 2003 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2251

Item 69: **2002 Omnibus Appropriations Local Law Enforcement Block Grant**

- \* Authorize the City of Dallas to submit a consolidated application between the City of Dallas and Dallas County for the 2002 Omnibus Appropriations Local Law Enforcement Block Grant from the U. S. Department of Justice, Bureau of Justice Assistance, for crime prevention and improved public safety activities - City of Dallas' share: \$2,464,923, Dallas County's share: \$866,054 plus cash match of \$370,108 for a total of \$3,701,085 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2252

Item 70: **2002 Omnibus Appropriations Local Law Enforcement Block Grant**

- \* Authorize a public hearing to be held on September 25, 2002, to receive citizens' comments on the 2002 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2253

Item 71: Authorize the option to renew the five-year contract with the law firm of Linebarger, Goggan, Blair, Pena and Sampson, LLP for the collection of delinquent paving and code enforcement liens – Estimated Net Revenue: \$956,250

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2254

CONSENT ZONING DOCKET

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

Agenda item 77 was 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 Z012-195 (JC)
- Agenda item 73: Zoning Case Z012-217 (JC)
- Agenda item 74: Zoning Case Z012-218 (JC)
- Agenda item 75: Zoning Case Z012-219 (JC)
- Agenda item 76: Zoning Case Z012-220 (JC)
- ~~Agenda item 77: Zoning Case Z012-227 (JC)~~ **[Considered individually]**

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2255

Item 72: Zoning Case Z012-195 (JC)

Zoning Case Z012-195 (JC), an application for and an ordinance granting an amendment to Specific Use Permit No. 814 for a Day Care Center on property zoned an MF-2(A) Multifamily District on Tenth Street and Bishop Avenue, northwest corner.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24996.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2256

Item 73: Zoning Case Z012-217 (JC)

Zoning Case Z012-217 (JC), an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District, on the southeast corner of Jim Miller Road and Red Bud Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24997.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2257

Item 74: Zoning Case Z012-218 (JC)

Zoning Case Z012-218 (JC), an application for and an ordinance granting a R-7.5(A) Single Family District on property zoned Planned Development District No. 20 for Residential Uses, on Sarah Lee Lane, west of Jim Miller Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24498.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2258

Item 75: Zoning Case Z012-219 (JC)

Zoning Case Z012-219 (JC), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District, on St. Augustine Road and Briarwood Road, northeast corner and Briarwood Road and Bloomfield Drive, southwest corner.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24499.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2259

Item 76: Zoning Case Z012-220 (JC)

Zoning Case Z012-220 (JC), an application for and an ordinance granting a Specific Use Permit for a Utility or Government Installation other than listed on property zoned a CA-1(A) Central Area District on Commerce Street and Houston Street, southeast corner.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25000.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2260

Item 77: Zoning Case Z012-227 (JC)

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

Sherell Cockrell, director of planning, requested that consent zoning docket item 77 be removed from the consent zoning docket, to be called as an individual hearing, because in accordance with subparagraph (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that a written protest against the change in zoning had been signed by all the owners of 20 percent or more of either the land in area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of planning.

Mayor Miller stated that consent zoning docket item 77 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z012-227 (JC), an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an R-7.5(A) Single Family District, on Boedeker Street and Centenary Avenue, east side.

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

The following individual addressed the city council regarding zoning case Z012-227(JC):

William Hopkins, 2011 Leath St.

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

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

Kirk Williams, 5400 Renaissance Tower, representing the applicant

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

“To amend the time period to expire May 31, 2003 with the covenant school out of the building on that date” and pass the ordinance.

Motion seconded by Councilmember Chaney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-2260

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

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

Voting No: [0]

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25001.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2261

Item 78: Public Hearing - City Code Amendment

A public hearing was to consider an amendment to the Dallas City Code to consider amending Section 41A-14 of the Dallas City Code that would require a quorum of the Permit and License Appeal Board to hear requests for exemptions from the locational restrictions for sexually oriented businesses.

Item 79: A public hearing was called to consider an ordinance amending Chapters 2, 14, and 41A of the Dallas City Code to provide for the full City Council to appoint the vice-chair of the permit and license appeal board; eliminate hearing panels of the permit and license appeal board and require a quorum of the board to hear appeals and exemption requests; authorize the city and any aggrieved person to appeal decisions of the permit and license appeal board to state district court; authorize the permit and license appeal board to grant two-year exemptions from locational restrictions for dance halls operating under a late-hours permit if certain conditions are met; and provide for the issuance of annual late-hours permits for dance halls granted two-year exemptions - Financing: No cost consideration to the City.

(The city plan commission recommended approval.)

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

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 25002.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2262

Item 80: Public Hearing - BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments for sidewalk paving for Sidewalk Group 98-113), and at the close of the hearing, authorize a contract for the construction with B.T. Construction, Inc., lowest responsible bidder of nine - \$237,276 - Financing: Capital Assessment Funds (\$221,276), Water Utilities Capital Construction Funds (\$13,500), Water Utilities Bond Funds (\$2,500)

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

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

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2263

Item 81: Public Hearing - BENEFIT ASSESSMENT HEARING

A benefit assessment hearing to receive citizens' comments on sidewalk paving for Sidewalk Group 98-122, and at the close of the hearing, authorize a contract for the construction with Rustown Homes, Inc., lowest responsible bidder of eight - \$108,876 - Financing: Capital Assessment Funds (\$95,751), Water Utilities Capital Construction Funds (\$13,125)

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

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

William Hopkins, 2011 Leath St.

Councilmember Walne moved to close the public hearing and authorize the contract with the following change:

“To exclude Meadowhill Drive north of Kingsley Road”

Motion seconded by Councilmember Rasansky and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2264

Item 82: Public Hearing - BENEFIT ASSESSMENT HEARING

A benefit assessment hearing for street paving, drainage, water and wastewater main improvements for Street Group 98-432, and at the close of the hearing, authorize a contract for the construction with Texas Sterling Construction, LP, lowest responsible bidder of eight - \$1,095,035 - Financing: 1998 Bond Funds (\$861,229), Water Utilities Capital Improvement Funds (\$203,856), Water Utilities Capital Construction Funds (\$29,950)

Appearing in opposition to the proposed improvements or the assessments:

Doug Conner, representing Shera Inc.

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

William Hopkins, 2011 Leath St.

Councilmember Housewright moved to defer the assessment until the August 28, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2265

Item 83: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and renominations received for city board and commission appointments for the 2001-2003 board term updated through August 14, 2002.

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

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

Motion seconded by Councilmember Chaney and unanimously adopted.

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

**02-2283 HSC HUMAN SERVICES COMMISSION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2266

Item 84: Approval of the 2002-2003 Dallas-Fort Worth International Airport Board annual budget - Financing: No cost consideration to the City

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.

Councilmember Poss moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2267

Item 85: Adoption of the 34th Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas-Fort Worth International Airport Joint Revenue Improvement and Refunding Bonds, Series 2002A if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City

Councilmember Lill announced that she had a conflict on 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 approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Lill abstain; Greyson absent when vote taken)

Assigned ORDINANCE NO. 25003.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2268

Item 86: Adoption of the 35th Supplemental Concurrent Bond Ordinances authorizing the issuance of Dallas-Fort Worth International Airport Joint Revenue Auction Rate Bonds, Series 2002B, if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City

Councilmember Lill announced that she had a conflict on 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 approve the item.

Motion seconded by Councilmember Housewright.

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

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25004.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2269

Item 87: Adoption of the 36th Supplemental Concurrent Bond Ordinances authorizing the issuance of Dallas-Fort Worth International Airport Joint Revenue Auction Rate Bonds, Series 2002C, if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City

Councilmember Lill announced that she had a conflict on 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 approve the item.

Motion seconded by Councilmember Housewright.

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

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25005.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2270

Item 88: Approval of the Resolution authorizing the Dallas-Fort Worth International Airport Facility Improvement Corporation to proceed with the issuance of bonds to refund the outstanding Dallas-Fort Worth International Airport Facility Improvement Corporation United Parcel Services, Inc. Revenue Bonds, Series 1992 - Financing: No cost consideration to the City

Councilmember Lill announced that she had a conflict on 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 approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2271

Item 89: An ordinance abandoning a water easement and sanitary sewer easements to LL Property Partners, L.P., the abutting owner, containing a total of approximately 2,460 square feet of land located near the intersection of Lovers Lane and Bluffview Boulevard, providing for the dedication of new water and wastewater easements, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Lill moved to defer the ordinance until the September 25, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Housewright and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2272

Item 90: Authorize an amendment to the Program Statement for the Home Repair Program to: (1) effective June 26, 2002, (a) provide that Program loans of \$25,000 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 \$25,000, exclusive of a grant for lead-based paint compliance costs - Financing: No cost consideration to the City

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2273

Closed Session

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

- Legal issues regarding bids on the 108-inch Water Transmission Line from Lake Fork to Lake Tawakoni, Section Two
- Legal issues involving Storm Water Enforcement
- Boulder Ridge Apartments, Ltd. v. City of Dallas, Cause No. DV99-00913C

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2274

Addendum addition 1: Authorize Supplemental Agreement No. 5 to the professional services contract with the law firm of Strasburger & Price, L.L.P., for additional legal services necessary in the lawsuit styled City of Dallas v. Transcontinental Realty Investors, Inc., et al., Cause No. cc-99-03125-e, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000, from \$650,000 to \$750,000 - Financing: Funds provided by Hillwood Development Corporation

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2275

Addendum addition 2: Authorize settlement of a lawsuit, styled Charles Miller, et al., v. City of Dallas, Cause No. 3:98-CV-2955-D - \$535,000 - Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2276

Addendum addition 3: An ordinance abandoning a portion of a sanitary sewer easement to E. Terrell Hodges, Jr., the abutting owner, containing approximately 998 square feet of land located near the intersection of Shorecrest Drive and Midway Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Lill moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 25006.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2277

Addendum addition 4: Authorize an eighty-four-month service contract with three twelve-month renewal options for food and beverage management services at the Dallas Convention Center with an estimated annual revenue of \$8,500,000, for the period of October 1, 2002 through September 30, 2009, best value bid of two - Service America Corporation dba Volume Services America - Management Fee not to exceed \$275,000 annually - Financing: Convention and Event Services Current Funds

Mayor Pro Tem Hill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2278

Addendum addition 5: Authorize the rejection of bids received for the 108-inch water transmission line from the Lake Fork Pump Station to near Lake Tawakoni, section two, and the re-advertisement for new bids -  
Financing: No cost consideration to the City

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2279

Addendum addition 6: Authorize Supplemental Agreement No. 1 to the collection services contract with Linebarger, Goggan, Blair, Pena and Sampson, LLP for payment of delinquent fines for outstanding traffic, city ordinance and state law violations to amend the compensation on provisions of the contract - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2280

Addendum addition 7: An ordinance appointing Phyllis Lister and Rey Chavez as full-time municipal judges for the City of Dallas municipal court of record for a term ending May 31, 2004 - Financing: No cost consideration to the City (All expenses to be fully reimbursed by Dallas County)

Councilmember Chaney moved to pass the ordinance.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

Later in the meeting, Mayor Pro Tem Hill moved to reconsider the vote on addendum addition 7 in consideration that the item was to be approved after addendum addition 8.

Motion seconded by Councilmember Walne.

Mayor Miller declared the motion to reconsider was adopted, and that addendum addition 7 was before the council for reconsideration.

Councilmember Chaney moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25007.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2281

Addendum addition 8: Authorize the creation of four municipal judge positions for the purpose of staffing Truancy Courts established under Chapter 13, Section 4, of the Dallas City Code - Financing: No cost consideration to the City (All expenses to be fully reimbursed by Dallas County)

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 14, 2002

02-2282

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).*

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OFFICE OF THE CITY SECRETARY  
TEXAS

CITY OF DALLAS,

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 14, 2002

EXHIBIT C

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OFFICE OF THE CITY SECRETARY  
TEXAS

CITY OF DALLAS,