

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 11, 2002

02-2500

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 9:20 a.m.

The city secretary announced that a quorum of the city council was present.

The pledge of allegiance was led by Chief Terrell Bolton and Chief Steve Abraira, and Police & Fire Rescue Command Staff.

The musical selection, Amazing Grace, was performed by Vincent Zubrus.

At 9:28 a.m., Mayor Miller asked all members of the city council and the audience to stand and pray in silence in memorial of the collapse of the North Tower of the World Trade Center.

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 5:45 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.

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 11, 2002

EXHIBIT A

9/25/02 10:01 AM
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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 11, 2002

EXHIBIT B

9/25/02 10:01 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2501

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: Albert Parker, 9647 Oak Gate Ln.
REPRESENTING: John Q Public
SUBJECT: City budget woes; let other prosper

SPEAKER: Kimberley Cole, 7031 Holly Hill Dr.
SUBJECT: Healing the rift/Preventing RIFs

SPEAKER: Tim Hanley, 5455 Northbrook Dr.
SUBJECT: Budget

SPEAKER: Fred Bronstein, 3500 Fairmont St.
REPRESENTING: Dallas Symphony Orchestra
SUBJECT: Budget for Arts

SPEAKER: Loris Beckles, 4237 Cole Ave.
SUBJECT: Budget cuts for the Arts

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Yang Wang, 6511 Shady Brooks Ln.
SUBJECT: China, Human Rights

SPEAKER: Richard Knight, 6108 Red Bird Ct. **CANCELED**
SUBJECT: Business Opportunities with the City of Dallas for minority business men

SPEAKER: Paul Nemeec, 2504 State St. **CANCELED**
REPRESENTING: Visual Arts Coalition of Dallas
SUBJECT: Arts Budget

SPEAKER: Willie Taylor, 1319 Arizona Ave.
SUBJECT: Undesirable frame home

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-2501

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SPEAKER: Elton Horton, 4034 Alexander Ln.
REPRESENTING: E.L. Horton Company
SUBJECT: Establishing an account

SPEAKER: Rick Gonzales, 4263 S. Crest Haven Rd.
SUBJECT: Neighborhood concerns

*SPEAKER: Jayne Latta, 6737 Talmadge Ln.
REPRESENTING: Hillcrest Forest/Association
SUBJECT: Hillcrest Church

*SPEAKER: Walter Schroen, 6620 Churchill Way
REPRESENTING: Churchill Way Homeowners Association
SUBJECT: Hillcrest Church

***Councilmember Finkelman made statements on their behalf.**

SPEAKER: Solomon Espie, 4004 David Phillips St. **NO SHOW**
SUBJECT: Budget Arts Funding

SPEAKER: James Wang, 12250 Abrams Rd.
SUBJECT: China/Human Rights

SPEAKER: Felicia Finley, 2520 Cherry St., Arlington, TX **NO SHOW**
SUBJECT: Criminal background checks

SPEAKER: Jerry Pyle, 1675 Cresthill Dr., Rockwall, TX
REPRESENTING: Armando Garcia
SUBJECT: Regarding child of Armando Garcia and DISD

SPEAKER: Sandra Lugo-Camacho, 3003 Knight St.
SUBJECT: The Arts

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-2501

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

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Ethics violation against: Mayor of Dallas; Bank One; Former Mayor;
American Airlines Center

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**
REPRESENTING: Malcolm X Community Council
SUBJECT: Council Manager/Strong Mayor

SPEAKER: Jurline Hollins, 2832 Marjorie Ave. **NO SHOW**
SUBJECT: Taxation without Representation

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2502

Item 1: Approval of Minutes of the August 14, 2002 City Council Meeting

Councilmember Oakley moved to approve the minutes, as corrected by Councilmember Greyson. Councilmember Greyson stated that on agenda item 45 that Councilmember Housewright moved to close the public hearing and authorize the contract. The item should have read: Councilmember Housewright moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2503

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-35 was presented for consideration.

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda items 17 and 19 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Fantroy requested that consent agenda items 2, 3, 4, 5 and 20 be considered as individual items. Mayor Miller stated that consent agenda items 2, 3, 4, 5 and 20 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Councilmember Rasansky requested that consent agenda items 4 and 10 be considered as individual items. Mayor Miller stated that consent agenda items 4 and 10 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Chaney requested that consent agenda item 32 be considered as an individual item. Mayor Miller stated that consent agenda item 32 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda with the exception of consent agenda items 17 and 19 which was deferred, and consent agenda items 2, 3, 4, 5, 10, 20 and 32 would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2504

Item 2: **Vulnerability Assessment for Dallas Water Utilities**

- * Authorize the acceptance of a grant from the U. S. Environmental Protection Agency for conducting a vulnerability assessment, remediation planning and emergency plan development for the Dallas Water Utilities drinking water facilities - \$115,000 - Financing: U. S. Environmental Protection Agency Grant 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 Fantroy moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2505

Item 3: **Vulnerability Assessment for Dallas Water Utilities**

- * Authorize a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for the evaluation of vulnerability assessment for security planning and analysis process for the Dallas Water Utilities drinking water facilities - \$1,363,089 - Financing: Water Utilities Capital Construction Funds (\$115,000 to be reimbursed by the U.S. Environmental Protection Agency)

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 Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2506

Item 4: Authorize a professional services contract with Chiang, Patel & Yerby, Inc. to provide engineering services for the expansion of the East Side Water Treatment Plant - \$10,082,073 - Financing: Water Utilities Capital Improvement Funds

Councilmembers Fantroy and Rasansky requested that consent agenda item 4 be considered as an individual item. Mayor Miller stated that consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Fantroy and Rasansky's request.

Later in the meeting, agenda item 4 was brought up for consideration.

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2507

Item 5: Authorize a contract for the construction of modifications to the Southside Wastewater Treatment Plant effluent filters - Archer-Western Contractors, Ltd., lowest responsible bidder of five - \$5,258,000 - Financing: Water Utilities Capital Improvement Funds (\$5,198,000) and Water Utilities Capital Construction Funds (\$60,000)

Councilmember Fantroy 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 Fantroy 's request.

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

The following individual addressed the city council regarding the contract:

George Pontikes, 5518 Tilbury, Houston, TX, representing Satterfield and Pontikes

The following individual was in support of the item but did not speak:

Joe Linderman, 2805 Woodshire Dr., Arlington, TX, representing Archer-Western Company

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2508

Item 6: Authorize a contract for the construction of water and wastewater mains and large valve replacements at various locations - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of two - \$3,260,416 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2509

Item 7: Authorize a contract for the replacement of water and wastewater mains in various locations - Barson Utilities, Inc., lowest responsible bidder of five - \$4,669,765 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2510

Item 8: Authorize Supplemental Agreement No. 11 to the contract with Phillips Swager Associates to provide additional services for the building shell, interior finish-out, telecommunications cabling, furniture and landscape related upgrades for the Jack Evans Police Headquarters facility - \$50,976, from \$5,185,905 to \$5,236,881 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2511

Item 9: Authorize (1) Supplemental Agreement No. 8 to the contract with Centex - 3D/I, a joint venture, for the Jack Evans Police Headquarters to provide additional construction management services and increase the Guaranteed Maximum Price for Leadership in Environment and Energy Design related upgrades and other upgrades in an amount not to exceed \$126,521, from \$54,581,111 to \$54,707,632, (2) an increase in the contract with Satterfield & Pontikes, Inc. to provide a Leadership in Energy Environment Design upgrade for measurement and verification sensors for gas, electrical and water usage, a new hydraulic elevator for the garage, and creation of a maintenance/storage room for the existing garage in an amount not to exceed \$272,421, from \$22,129,352 to \$22,401,773, within the Guaranteed Maximum Price, (3) an increase in the contract with Constructors & Associates, Inc. to provide a security system control matrix, Police Museum related changes, additional motion detectors, an exterior police badge replica, a garage revision to upgrade the motorized gates at all entrances, security system coordination, and a Leadership in Environment and Energy Design upgrade for measurement and verification sensors for gas, electrical and water usage, in an amount not to exceed \$546,866, from \$12,522,274 to \$13,069,140, within the Guaranteed Maximum Price - Total not to exceed \$126,521 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2512

Item 10: Authorize an increase in the contract with Omega Contracting, Inc. for water and wastewater main service installations - \$1,500,000, from \$6,263,635 to \$7,763,635 - Financing: Water Utilities Capital Construction Funds

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting, agenda item 10 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Hill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2513

Item 11: Authorize the City Manager to initiate the process of selection for a design/build project delivery method for the construction of a new field maintenance equipment facility to be located at Dallas Executive Airport - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2514

Item 12: Authorize the release of non-tax City liens against 6 privately held vacant properties using the Land Transfer Program, in exchange for Builders of Hope CDC paying all delinquent taxes, penalties and interest on the properties and providing affordable housing on the properties for low to moderate income households - Estimated revenue foregone: \$37,296

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2515

Item 13: An ordinance abandoning a portion of a water and wastewater easement to Brentgate Homes, Inc., the abutting owner, containing approximately 571 square feet of land located near the intersection of Keeneland Parkway 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. 25020.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2516

Item 14: Authorize a thirty-six-month price agreement for barricade warning lights with the lowest responsible bidder of five - Globe Electric Co., Inc. - Not to exceed \$409,168 - Financing: Water Utilities Current Funds (\$355,393), Current Funds (\$53,775)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2517

Item 15: Authorize a sixty-month parking concession contract with three twelve-month renewal options for parking services and capital improvements at the Dallas Convention Center with the most advantageous proposer of four - Ace Parking Management, Inc. - City will receive 64% of gross revenues, less sales tax - Estimated Annual Revenue: \$650,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2518

Item 16: Authorize a thirty-six-month price agreement for hot mix asphalt and high performance cold patch material with the lowest responsible bidders of six - APAC-Texas, Inc., Austin Bridge & Road, L.P., Lindsey Contractors, Inc. and Unique Paving Materials Corp. - Not to exceed \$6,662,927 - Financing: Current Funds (\$4,570,180), Water Utilities Current Funds (\$2,084,797), Aviation Current Funds (\$7,950)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2519

Item 17: Authorize a twenty-four-month service contract for window glass replacement services with the only bidder - Texas Glass Contracting - Not to exceed \$320,018 - Financing: Current Funds (\$278,712), Water Utilities Current Funds (\$22,039), Convention and Event Services Current Funds (\$13,640), and Aviation Current Funds (\$5,627)

The city secretary announced that Councilmember Fantroy had deferred consideration of consent agenda item 17 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

September 11, 2002

02-2520

Item 18: Authorize a thirty-six-month service contract for crowd management services at the Dallas Convention Center with the highest responsible bidder of five - D & L Entertainment, Inc. - City will receive 28% of gross revenues, less sales tax - Estimated Annual Revenue: \$230,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2521

Item 19: Authorize a thirty-six-month price agreement for the purchase, service and repair of traffic radar equipment with the lowest responsible bidders of four - Kustom Signals, Inc. and Decatur Electronics, Inc. - Not to exceed \$211,846 - Financing: Current Funds

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2522

Item 20: Authorize the purchase of a hand held water meter reading system from the most advantageous proposer of three - Itron, Inc. - Not to exceed \$359,212 - Financing: Water Utilities Capital Construction Funds

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

Later in the meeting, agenda item 20 was brought up for consideration.

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2523

Item 21: Authorize (1) a public hearing to be held on September 25, 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 Gulf States Building located at 1415 Main Street, modifications to the Plan and modifications to Ordinance Nos. 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 No. 22802, previously approved on June 26, 1996, and Ordinance No. 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

September 11, 2002

02-2524

Item 22: Authorize (1) approval of the Deep Ellum Public Improvement District Service Plan for 2003; (2) a public hearing to be held on September 25, 2002 to receive citizens' comments concerning the annual assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2003; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2525

Item 23: Authorize (1) approval of the Prestonwood Public Improvement District Service Plan for 2003; (2) a public hearing to be held on September 25, 2002 to receive citizens' comments concerning the annual assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2003; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2526

Item 24: Authorize (1) approval of the Uptown Public Improvement District Service Plan for 2003; (2) a public hearing to be held on September 25, 2002 to receive citizens' comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the public hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2003; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2527

Item 25: Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 2003; (2) a public hearing to be held on September 25, 2002 to receive citizens' comments concerning the annual assessment rate for the District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2003; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2528

Item 26: Authorize a contract with the Texas Department of Health for the continuation of the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2002 through September 30, 2003 - Not to exceed \$7,577,253 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2529

Item 27: Authorize the acceptance of a grant from the Texas Commission on Environmental Quality to operate air samplers for PM 2.5 (particulate matter which is 2.5 microns or less in diameter) and conduct air monitoring activities in Dallas County for the period September 1, 2002 through August 31, 2004 and the execution of the grant agreement - Not to exceed \$124,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2530

Item 28: Authorize an amendment to the contract with the Texas Commission on Environmental Quality, for the acceptance of additional funding and extending the term to August 31, 2003 to operate two continuous ambient air monitoring stations in Dallas County - Not to exceed \$50,000, from \$50,000 to \$100,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2531

Item 29: Authorize a contract with the Texas Department of Health to continue the operation of a training center for the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2002 through September 30, 2003 - Not to exceed \$97,079 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2532

Item 30: Authorize (1) a public hearing to be held on September 25, 2002 to receive citizens' comments on the proposed private sale by quitclaim deed of 17 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to qualified non-profit organizations and (2) consideration at the close of the public hearing of approval of the sale of those properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2533

Item 31: Authorize the reconstruction on-site of one home in accordance with the Home Repair Program Statement requirements for the property located at 103 N. Dwight Avenue - Not to exceed \$55,000 - Financing: 2000-01 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2534

Item 32: Authorize the acceptance of a grant from the Texas State Library for a Teen Center at the Martin Luther King, Jr. Branch Library to conduct outreach to underprivileged urban teens for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement - \$57,451 - Financing: Texas State Library and Archives Commission Grant Funds

Councilmember Chaney requested that consent agenda item 32 be considered as an individual item. Mayor Miller stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, agenda item 32 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2535

Item 33: Authorize application for and acceptance of a grant from the Texas Commission on the Arts for the general operation and project support to arts and cultural organizations in the City of Dallas for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement - \$145,325 - Financing: Texas Commission on the Arts Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2536

Item 34: Approval of the issuance of a loan in an amount not to exceed \$7,000,000 by the City of Tatum, Texas Higher Education Facilities Corporation for housing facilities at Dallas Baptist University in Dallas, Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2537

Item 35: A resolution establishing a policy to determine the interest rate on new paving, storm drainage, sidewalk, water and wastewater main assessments owed to the City, with certain limitations - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2538

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 36-40, was presented.

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

- Agenda item 36: Zoning Case Z012-178 (RB)
- Agenda item 37: Zoning Case Z012-200 (RB)
- Agenda item 38: Zoning Case Z012-231 (FD)
- Agenda item 39: Zoning Case Z012-234 (FD)
- Agenda item 40: Zoning Case Z012-238 (FD)

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

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

Beverly Collinsworth, regarding zoning case Z012-178 (RB)

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

Tony Evans, representing Oak Cliff Bible Fellowship, regarding zoning case Z012-178 (RB)

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

William Hopkins, 2011 Leath, regarding zoning case Z012-178 (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 Deputy Mayor Pro Tem Loza and unanimously adopted. (Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2539

Item 36: Zoning Case Z012-178 (RB)

Zoning Case Z012-178 (RB), an application for and an ordinance granting a Specific Use Permit for a Private recreation center, club, or area on property zoned an R-10(A) Single Family District on the northwest corner of Hampton Road and Camp Wisdom Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25021.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2540

Item 37: Zoning Case Z012-200 (RB)

Zoning Case Z012-200 (RB), an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (inside) use limited to a Class A Dance hall on property zoned a CS Commercial Service District located on the west corner of Industrial Boulevard and Dearborn Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25022.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2541

Item 38: Zoning Case Z012-231 (FD)

Zoning Case Z012-231 (FD), a City Plan Commission authorized hearing to determine the proper zoning on properties zoned an R-7.5(A) Single Family District, D(A) Duplex District, and MF-2(A) Multifamily District on the west side of Leigh Ann Drive between Bettyrae Way and Wheatland Road and an ordinance implementing the change to an R-7.5(A) Single Family District.

(The city plan commission recommended approval of a change of zoning from an MF-2(A) Multifamily District and a D(A) Duplex District to an R-7.5(A) Single Family District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25023.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2542

Item 39: Zoning Case Z012-234 (FD)

Zoning Case Z012-234 (FD), an application for and an ordinance granting an IM Industrial Manufacturing District on property zoned an IR Industrial Research District located at the northwest line of Shorecrest Drive, northeast of Denton Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25024.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2543

Item 40: Zoning Case Z012-238 (FD)

Zoning Case Z012-238 (FD), an application for and an ordinance granting an IR Industrial Research District on property zoned an MU-3 Mixed-Use District located on the northeast line of Wyche Boulevard, north of Record Crossing Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25025.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2544

Item 41: Public Hearing - Zoning Case Z012-197 (JC)

A public hearing was called on zoning case Z012-197 (JC), an application for and an ordinance granting amendments to Planned Development District No. 316 to create a new sub-area to allow off-street parking without the required building on property zoned, Tract 1b, Planned Development District No. 316, the Jefferson Boulevard Special Purpose District, on the southwest corner of Jefferson Boulevard and Vernon Avenue.

(The city plan commission recommended approval.

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

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

Ramon Aranda, 2608 Squire Pl., Farmers Branch, TX, representing the applicant

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

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

Assigned ORDINANCE NO. 25026.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2545

Item 42: Public Hearing – Zoning Case Z012-193 (MF)

A public hearing was called on zoning case Z012-193 (MF), an application for a P Parking Subdistrict on property zoned an O-1 Office-1 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east side of Buena Vista Street south of Fitzhugh Avenue.

(The city plan commission recommended denial.

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2546

Item 43: Public Hearing - BENEFIT ASSESSEMENT - UNDER ADVISEMENT

A public hearing was called on 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).

(This item was considered by the City Council at a public hearing on August 14, 2002 and again on August 28, 2002, and was taken under advisement until September 11, 2002, with the public hearing open.)

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

Appearing in favor of the proposed improvements or the assessments:

Doug Conner, 9342 Forest Ridge Dr., representing Shera Corporation

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

William Hopkins, 2011 Leath St.

Councilmember Housewright moved to close the public hearing and authorize the contract, with the adjusted assessment for Shera Corporation of \$2,092.48

Motion seconded by Councilmember Rasansky and unanimously adopted. (Hill, Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2547

Item 44: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments on the proposed private resale of unimproved property located at 3524 Cleveland Street (a/k/a 1407, 1411 and 1415 Cooper Streets) from Dallas Area Habitat for Humanity, Inc., a qualified non-profit organization to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the proposed private resale of unimproved property:

Pam Armstrong, 1622 Panama Pl.
William Hopkins, 2011 Leath St.

Councilmember Chaney moved to close the public hearing.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Hill, Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2548

Item 45: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments on the proposed FY 2002-03 Community Development Block Grant Reprogramming budget - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the FY 2002-03 Community Development Block Grant Reprogramming budget:

Franklin Thomas, 2919 Warren Ave.

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2549

Item 46: 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 September 11, 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.

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

Gwain Wooten, 5111 Holland St.

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

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

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

02-2558 MLK MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD
02-2559 SAC SENIOR AFFAIRS COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2550

Item 47: First reading of the appropriation ordinances for the proposed FY 2002-03 City of Dallas Operating, Grants and Trusts and Capital budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the proposed FY 2002-03 City of Dallas Operating, Grants and Trusts and Capital budgets:

Paula Nemece, 2504 State St., representing Visual Arts Coalition of Dallas

Joan Davidow, 2011 Cedar Springs Rd., representing Dallas Center for Contemporary Arts

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2551

Item 48: Authorize the modification of the Revolving Loan Fund Program loan made in 1991 to North Oak Cliff Community Development Corporation for the acquisition and rehabilitation of the twenty multi-family unit Jeffrey Square Apartments scattered sites located at 522 W. 9th Street, 701-703 W. 10th Street, 117 and 119 N. Van Buren Street to: (1) reduce the monthly payment from \$941 to \$500 starting July 1, 1999, (2) extend the term of the loan from November 1, 2021 to November 1, 2025 with an estimated balloon payment of \$94,706 due then, (3) require a \$19,000 principal reduction payment, (4) require funding of \$31,000 in operating and capital reserves, and (5) require borrower to pay outside legal fees - Financing: No cost consideration to the City

Councilmember Garcia moved to defer the item until the October 23, 2002 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2552

Closed Session

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

- City of Dallas v. John Baker, et al., Cause No. 99-02619-M
- City of Dallas v. 4701 Meadow, Inc., Cause No. 02-05087

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2553

Addendum addition 1: Authorize a professional services contract with the law firm of O'Bannon & Associates for legal services necessary to assist the City in conducting an analysis to determine any statistically significant difference or disparity in prime contractors' use of M/WBE subcontractors in government agencies that do not have a contract goals program compared to the City of Dallas - Not to exceed \$25,000 - Financing: Current Funds

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

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

Voting Yes:	[11]	Miller, Loza, Garcia, Housewright, Thornton Reese, Oakley, Chaney, Poss, Finkelman, Greyson, Lill
Voting No:	[3]	Fantroy, Walne, Rasansky
Absent when vote taken:	[1]	Hill

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2554

Addendum addition 2: Authorize (1) approval of the Dallas Downtown Improvement District Service Plan for 2003; (2) a public hearing to be held on September 25, 2002 to receive citizens' comments concerning the annual assessment rate for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Dallas Downtown Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2003; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: This action has no cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2555

Addendum addition 3: Authorize Supplemental Agreement No. 1 to the contract with GME Consulting Services, Inc. for environmental and construction materials testing services to provide additional services related to removal of an underground storage tank at the Jack Evans Police Headquarters - \$19,132, from \$157,070 to \$176,202 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2556

Addendum addition 4: A resolution calling upon Center Operating Company, L.P., to withdraw its notice of termination, and to continue to manage Reunion Arena under the Reunion Arena Management Agreement for not less than the remainder of the full five-year initial term ending, August 31, 2003 - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the resolution.

Motion seconded by Councilmember Thornton Reese.

Councilmember Rasansky moved to suspend the rule to allow discussion of placing the Palladium item on the September 25, 2002 voting agenda meeting of the city council pursuant to City Council Rules and Procedure 6.2(b).

Motion seconded by Councilmember Oakley.

Later in the meeting, Councilmember Rasansky withdrew his motion to suspend the rule until the vote occurred on addendum addition 4.

Councilmember Oakley withdrew his second.

After discussion, Mayor Miller called the vote on the original motion to approve the resolution:

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

Voting No: [0]

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2557

Non-Agenda Item

Councilmember Rasansky moved to suspend the rule pursuant to City Council Rules of Procedure 6.2(b) and place on the city council agenda for the next voting agenda meeting, the approval of the amendments to the Sports Arena TIF District Project Plan, which occurred on May 22, 2002.

Motion seconded by Councilmember Oakley.

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

Voting Yes: [10] Miller, Loza, Garcia, Housewright, Oakley, Walne, Finkelman,
Greyson, Rasansky, Lill

Voting No: [5] Hill, Thornton Reese, Chaney, Fantroy, Poss

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 11, 2002

02-2500

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, SEPTEMBER 11, 2002

EXHIBIT C

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