

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 9, 2002

02-2920

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR LAURA MILLER, PRESIDING

PRESENT: [13] Miller, Loza, Garcia, Housewright, Thornton Reese, Oakley, Chaney, Fantroy,
Poss, Walne, Finkelman, Greyson, Lill
ABSENT: [2] Hill, Rasansky

The meeting was called to order at 9:25 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 city council and the audience.

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 4:08 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 9, 2002

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 9, 2002

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2921

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: Mark Brown, 3110 Metropolitan Ave. **NO SHOW**
SUBJECT: Sidewalks for handicap people

SPEAKER: Bruce Kline, 733 Cliffview Dr.
SUBJECT: Project **CANCELED**

SPEAKER: Penina Weiner, 11711 El-Hara Cir.
SUBJECT: Planning/Zoning/Taxes

SPEAKER: Tommy McGee, 7703 Robin Rd.
SUBJECT: Wal-Mart issue

SPEAKER: Elijah McGrew, 1924 Military Pkwy.
SUBJECT: Judge Ortiz

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Evelyn Daniel, 2826 Arizona Ave. **NO SHOW**
SUBJECT: Various Issues

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Patricia Morrissey, 9980 County Rd. 745, Princeton
SUBJECT: Horse Carriages/Department of Transportation

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

SPEAKER: Al Lipscomb, 830 Clearwood Dr. **CANCELED**
SUBJECT: Fairness

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Environmental racism against Mayor of Dallas, State Representative, Parkland Hospital

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**
REPRESENTING: Malcolm X Community Council
SUBJECT: Political/Economic Justice in Dallas

SPEAKER: Willie Taylor, 1319 Arizona Ave. **NO SHOW**
SUBJECT: The house that doesn't fit

SPEAKER: Gwain Wooten, 5111 Holland Ave. **NO SHOW**
SUBJECT: Appointment to boards and commissions

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2922

Item 1: Approval of Minutes of the September 25, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Councilmember Walne and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2923

CONSENT AGENDA

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

The city secretary announced that Councilmember Greyson had deferred consideration of addendum addition 2 until the next voting agenda meeting of the city council in accordance with Subsection 7.1 of the City Council Rules of Procedure.

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

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda items with the exception of consent agenda items 21, 22 and 40, which were deleted, and consent agenda item 13 which would be considered later in the meeting.

Motion seconded by Councilmember Lill and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2924

Item 2: Authorize a professional services contract with The Hillier Group to provide design services for an exterior deck replacement, including shade covers and accessible interactive program exhibits such as gardens and terrariums at Bachman Therapeutic Center - \$28,500 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2925

Item 3: Authorize a contract for playground improvements at Jaycee/Zaragoza Park - J & J Sprinkler and Landscape, Inc., lowest responsible bidder of six - \$62,600 - Financing: 2001-02 Urban Development Action Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2926

Item 4: Authorize a contract for site improvements including replacing the existing brick seat walls and sidewalks in the herb garden, dumpster enclosure, service drive and planter removal at the Texas Discovery Gardens in Fair Park - A S Construction, lowest responsible bidder of five - \$60,200 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2927

Item 5: Authorize an increase in the contract with Meridian Commercial, Inc., for revisions to the hardscape, fountain and gazebo size including surveying, excavation, concrete, pavers, masonry, steel, roofing, electrical, gunite and fountain equipment for the construction of the Trammell Crow Visitor Education Pavilion at the Dallas Arboretum - \$129,939, from \$10,668,068 to \$10,798,007 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2928

Item 6: Authorize Supplemental Agreement No. 1 to the contract with Wendy Lopez and Associates, Inc. dba Lopez Garcia Group to provide design services for additional dredging at William B. Dean Park and a stone retaining wall along the shoreline of the Hall Street Pond at Robert E. Lee Park within the Turtle Creek Parkway - \$53,550, from \$67,533 to \$121,083 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2929

Item 7: Authorize an increase in the contract with American Restoration, Inc. for the construction of Union Station exterior masonry restoration, Phase I, to repair the inner brick wall separation - \$63,415, from \$1,544,612 to \$1,608,027 - Financing: Convention Center Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2930

Item 8: Authorize an increase in the contract with Constructors & Associates, Inc. for the fire alarm system in Upper Lobby C for the Dallas Convention Center Unification project - \$75,259, from \$970,475 to \$1,045,734, 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

October 9, 2002

02-2931

Item 9: Authorize an amendment to the Interlocal Agreement with the Texas Department of Transportation to continue funding cost reimbursement for maintenance and operation of traffic signals on the freeway system within the Dallas city limits - Not to exceed \$515,900 - Financing: Current Funds (to be reimbursed by the Texas Department of Transportation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2932

Item 10: Authorize Supplemental Agreement No. 1 to the Master Interlocal Agreement with Dallas County for the City's share of the cost associated with paving and drainage improvements on Harry Hines Boulevard from Walnut Hill Lane to Royal Lane - \$100,759 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2933

Item 11: Authorize two thirty-year lease agreements, with each having two five-year renewal options, of approximately 0.57 acres each of unimproved land for a total of approximately 1.14 acres at Dallas Executive Airport with J. C. Aviation Investments, Inc. - Estimated Annual Revenue: \$6,461

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2934

Item 12: Authorize a new lease agreement of approximately 6.4 acres of land improved with an airport taxiway at Dallas Love Field, with TWG Properties, Ltd., that will run coincident with their existing lease which expires on February 8, 2040 - Estimated Annual Revenue: \$55,757

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2935

Item 13: Authorize (1) a public hearing to be held on November 13, 2002, to receive citizens' comments, and (2) council action on November 13, 2002 on the proposed change of use and lease of approximately 3,280 square feet of park land located at the intersection of Akard Street and Main Street being part of Pegasus Plaza - Financing: No cost consideration to the City

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.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2936

Item 14: Authorize a month-to-month lease agreement with Central Parking System of Texas, Inc., for 42 parking spaces in the Elm Street Garage located at 2000 Elm Street from October 1, 2002 through September 30, 2003, with initial rent of \$4,074 per month for a total of \$48,888 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2937

Item 15: Authorize (1) rescinding the thirty-six-month service contract with Boots and Coots Special Services for hazardous and non-hazardous material clean-up and disposal services at the Dallas Police Property Room previously awarded on May 8, 2002, pursuant to Resolution No. 02-1469 and (2) a thirty-six-month service contract with the lowest responsible bidder of three - Green Planet, Inc. - Not to exceed \$279,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2938

Item 16: Authorize a sixty-month service contract for janitorial services at the new Jack Evans Police Headquarters with the lowest responsible bidder of seven - Oriental Building Services - Not to exceed \$2,756,389 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2939

Item 17: Authorize a twenty-four-month service contract for sand, septic and grease trap cleaning with the lowest responsible bidders of four - U.S. Liquids of Dallas, LLC and American Liquid Control - Not to exceed \$228,093 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2940

Item 18: Authorize the purchase of eighteen rescue units through the Houston-Galveston Area Council of Governments Interlocal Agreement - Not to exceed \$1,559,531 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2941

Item 19: Authorize a sixty-month service contract for maintenance and repair of wastewater residual centrifuges at the Southside Wastewater Treatment Plant with the lowest responsible bidder of two - Centrifuge Technology, Inc. - Not to exceed \$1,180,385 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2942

Item 20: Authorize an Interlocal Agreement with the Texas Department of Transportation for the temporary closure of the westbound lanes of Loop 12/Northwest Highway from North Central Expressway to Hillcrest Avenue for the Susan G. Komen Race for the Cure on Saturday, October 19, 2002 from 7:30 a.m. to 9:30 a.m. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2943

Note: Item Nos. 21 and 22
must be considered collectively.

City Center TIF District

- Item 21: * Authorize (1) a development agreement with 1414 Elm, LTD, to provide for the funding of demolition, facade improvements and construction of public infrastructure improvements related to the redevelopment of the Residences at 1414 Elm Street (1414 Elm Street) located in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas, (City Center TIF District) in an amount of \$1,073,280; (2) the establishment of appropriations in an amount of \$1,073,280 in the City Center TIF District Fund - Total not to exceed \$1,073,280 - Financing: City Center TIF District Funds to be advanced by a private developer and reimbursed from the City Center TIF District Fund
- Item 22: * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse 1414 Elm, LTD for funds advanced or paid for approved project costs, pursuant to a development agreement between the City and 1414 Elm, LTD in an amount not to exceed \$1,073,280 plus interest for demolition, design and construction of public infrastructure improvements related to the redevelopment of the Residences at 1414 Elm (1414 Elm Street) in the City Center TIF District - \$1,073,280 - Financing: To be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from the City Center TIF District Fund

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2944

Item 23: Authorize a contract with the Martin Luther King, Jr. Family Clinic for the provision of pediatric health care services for the period October 1, 2002 through September 30, 2003 - Not to exceed \$67,100 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2945

Item 24: Authorize Renewal Option No. 1 to the contract with Holmes Street Foundation, Inc. for the provision of residential substance abuse treatment services for adolescent males for the period October 1, 2002 through September 30, 2003 - Not to exceed \$76,560 - Financing: 2002-03 Community Development Grant Funds (\$65,000) and Current Funds (\$11,560)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2946

Item 25: Authorize Renewal Option No. 1 to the contracts with Human Services Network, Inc., AIDS Interfaith Network, Inc., and the Resource Center of Dallas for the provision of a citywide HIV/AIDS Education, Outreach and Prevention Program that will target high-risk populations within the city of Dallas for the period October 1, 2002 through September 30, 2003 - Not to exceed \$172,016 - Financing: Current Funds (\$97,016), 2001-02 Community Development Grant Funds (\$15,918) and 2002-03 Community Development Grant Funds (\$59,082)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2947

Item 26: Authorize two contracts with Dental Health Program, Inc. for the continuation of dental health services to eligible residents for the period October 1, 2002 through September 30, 2003 - Not to exceed \$825,000 - Financing: 2002-03 Community Development Grant Funds (\$200,000) and Current Funds (\$625,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2948

Item 27: Authorize contracts with recipients of the 2002-03 Emergency Shelter Grant Funds allocated to the City of Dallas for the period October 1, 2002 through September 30, 2003 - Not to exceed \$412,282 - Financing: 2002-03 Emergency Shelter Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2949

Item 28: Authorize an extension of the agreement with the Agency for Toxic Substances and Disease Registry to continue an environmental health assessment of the City of Dallas Muncie Street Project through March 31, 2003 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2950

Item 29: Authorize an Interlocal Agreement with Dallas County to provide a tenant-based rental assistance program for the homeless for the period November 1, 2002 through October 31, 2003 - Not to exceed \$300,000 - Financing: 2002-03 HOME Investment Partnerships Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2951

Item 30: Authorize an Interlocal Agreement with the Dallas County Health and Human Services Department for the continuation of the AIDS Investigation Program for the period October 1, 2002 through September 30, 2003 - Not to exceed \$44,484 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2952

Item 31: Authorize the payment of certification and testing fees to the Texas State Commission on Fire Protection for the appropriate certification levels of each uniformed Fire Department employee - Not to exceed \$35,731 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2953

Item 32: Authorize the exercise of the final twelve-month renewal option to the contract with Eckerd Health Services for prescription drug services as an integral part of the City's Employee and Retiree Health Plan for the period January 1, 2003 through December 31, 2003 - Not to exceed \$15,000,000 - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2954

Item 33: Authorize the reconstruction on-site of two homes in accordance with the Home Repair Program Statement requirements for the properties located at 3815 Vineyard Drive and 634 W. Millett Drive - Not to exceed \$55,000 each for a total not to exceed \$110,000 - Financing: 2000-01 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2955

Item 34: Authorize (1) the acceptance of a TexTreasures grant in the amount of \$18,125 from the Texas State Library to preserve the Murphy and Bolanz Real Estate Company's Block Books for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement, and (2) the City's match in an amount not to exceed \$8,133 - Total not to exceed \$26,258 - Financing: Texas State Library and Archives Commission Grant Funds (\$18,125) and National Endowment for the Humanities Challenge Funds (\$8,133)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2956

Item 35: Authorize an agreement with the AMIGOS Bibliographic Council, Inc. for continued participation by the Dallas Public Library in the computerized data access program for bibliographic and consulting services for a twelve-month period from October 1, 2002 through September 30, 2003 - Not to exceed \$99,494 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2957

Item 36: Approval of the issuance of tax-exempt revenue bonds in an amount not to exceed \$4,500,000 by the City of Hubbard, Texas, Education Finance Corporation of Central Texas for equipment for A. W. Brown Fellowship Charter School to be located at 6901 S. Westmoreland Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2958

Item 37: Authorize the preparation of plans for the issuance of \$11,195,000 Equipment Acquisition Contractual Obligations, Series 2002 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2959

Item 38: Authorize an Interlocal Agreement between the City of Dallas and the City of Richardson that creates a Cooperative Purchasing Program that will allow the two cities to purchase from each other's contracts for goods and services when economical - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2960

Item 39: Authorize the Dallas Police Department to expend funds for overtime, and receive reimbursement for the expenditures from various federal and state law enforcement agencies for FY 2002-03 in exchange for the participation of the Dallas Police Department in federal and state investigations (list attached) - Not to exceed \$500,000 - Financing: Current Funds (to be fully reimbursed from various federal and state law enforcement agencies)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2961

Item 40: A resolution endorsing the continuation of the Dallas Police Department's "Police and Constables in Partnership Program" for increased traffic enforcement and crime reduction efforts to include Northwest Dallas (portions of City Council Districts 1, 2, 3, 6, and 14) with Dallas County Constable Precinct 5, Southwest Dallas (portions of City Council District 3) with Dallas County Constable Precinct 4, Northeast Dallas (portions of City Council Districts 7, 9, 10, 11, 12, 13, and 14) with Dallas County Constable Precinct 3-1, and Southwest Dallas (portions of City Council Districts 2, 3, 4, 5, 6, 7, 8, and 14) with Dallas County Constable Precinct 1 for the period October 1, 2002 through September 30, 2003 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2962

Item 41: Authorize a renewal contract with American Golf Corporation to provide interruptible untreated water for Riverchase Golf Course from a diversion point located along the Elm Fork of the Trinity River water released from Lake Lewisville Dam for five years with two extensions of five years each for irrigation of the Riverchase Golf Course located in Coppell, Texas - Estimated Annual Revenue: \$8,040

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2963

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 42-44, was presented.

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

- Agenda item 42: Zoning Case Z012-224 (RB)
- Agenda item 43: Zoning Case Z012-237 (NB)
- Agenda item 44: Zoning Case Z012-250 (MF)

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

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

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

- William Hopkins, 2011 Leath St., regarding zoning case Z012-237 (NB)
- Albert Parker, 9647 Old Gate Ln., regarding zoning case Z012-250 (MF)

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

Motion seconded by Councilmember Greyson and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2964

Item 42: Zoning Case Z012-224 (RB)

Zoning Case Z012-224 (RB), an application for and an ordinance granting a Planned Development District for Single family uses, Private streets, and an Accessory community center (private) and an application to amend the existing deed restrictions on that portion encumbering the request site and a resolution accepting the deed restriction instrument on property zoned an LO-1 Limited Office-1 District on the east line of Campbell Road, south of Summerside Drive.

(The city plan commission recommended approval, subject to a development plan and conditions, and approval of an amendment to the existing deed restrictions for that portion encumbering the request site.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25052.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2965

Item 43: Zoning Case Z012-237 (NB)

Zoning Case Z012-237 (NB), an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned a CR Community Retail District on the southeast corner of Hampton Road and Dennison Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25053.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2966

Item 44: Zoning Case Z012-250 (MF)

Zoning Case Z012-250 (MF), an application for and an ordinance granting a Specific Use Permit for an Electric Substation on property zoned an A(A) Agriculture District on the northwest side of Witt Road, northeast of Blanco Road.

(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. 25054.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2967

Item 45: Public Hearing - Zoning Case Z012-204 (MF)

A public hearing was called on zoning case Z012-204 (MF), an application for a Planned Development Subdistrict for MF-2 Multiple-Family uses, a Bed and Breakfast use and an ordinance granting an Historic Overlay District for the Talley/Polk house on property zoned an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Reagan Street and Dickason Avenue

(The city plan commission recommended denial of a Planned Development Subdistrict and approval of the Historic Overlay District which allows the additional Bed and Breakfast use.)

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

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

Councilmember Lill moved to close the public hearing and accept the recommendation of the city plan commission.

Motion seconded by Councilmember Housewright and unanimously adopted. (Oakley abstain; Hill, Rasansky absent)

Assigned ORDINANCE NO. 25061.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2968

Item 46: Public Hearing - Zoning Case Z012-233 (RB)

A public hearing was called on zoning case Z012-233 (RB), an application for and an ordinance granting an R-7.5(A) Single Family District on property currently zoned an A(A) Agricultural District and an LI-1-D-1 Light Industrial-Dry-1 District located at the northwest corner of Lake June Road and Guard Drive.

(The city plan commission recommended approval, with retention of the D-1 Dry Overlay District. This item was considered by the City Council at a public hearing on September 25, 2002, and was taken under advisement until October 9, 2002, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

Albert Parker, 9647 Old Gate Ln.

Appearing in favor of the city plan commission recommendation:

Carl Raines, 1211 Waterside Cir., representing Southeast Dallas Chamber/Economic Task Force

John Heimbürger, 1627 Hollywood Ave.

Casie Pierce, 6047 Parkdale Dr., representing Parkdale/Lawnview Association of Neighbors

Linda Pelon, 3015 Nutting Dr.

The following individual addressed the city council regarding zoning case Z012-233 (RB):

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Hill, Rasansky absent)

Assigned ORDINANCE NO. 25055.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2969

Item 47: Public Hearing - DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called on consideration of amendments to Chapter 51A of the Dallas Development Code regarding the Truck stop use with consideration being given to establishing a new use for parking of commercial vehicles and an ordinance implementing the amendments.

(The city plan commission recommended approval.)

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

The following individual addressed the city council regarding the amendments:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Oakley and unanimously adopted. (Hill, Rasansky absent)

Assigned ORDINANCE NO. 25056.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2970

Item 48: Public Hearing - CITY CODE AMENDMENT

A public hearing was called on an amendment to Chapters 41A and 51A of the Dallas City Code to revise regulations for establishing compliance dates for nonconforming uses and an ordinance implementing the amendments.

(The city commission recommended approval.)

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

Michael Jung, 4300 Bank of America Plaza, representing Bank of America NA
Maxine Aaronson, 3131 McKinney Ave., representing Dallas Homeowners League

No one appeared in favor of the city plan commission's recommendation

The following individual addressed the city council regarding city code amendment:

William Hopkins, 2011 Leath St.

Councilmember Housewright moved to defer the item until the October 23, 2002 city council meeting and for a briefing to be held on October 16, 2002.

Motion seconded by Councilmember Greyson and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2971

Item 49: Public Hearing - THOROUGHFARE PLAN AMENDMENTS

A public hearing was called to authorize an amendment to the Thoroughfare Plan to change the dimensional classification of Motor Street from IH 35E to Harry Hines Boulevard from four-lane undivided (M-4-U) to six-lane divided (M-6-D(A)) and an ordinance implementing the change - Financing : No cost consideration to the City .

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

William Hopkins, 2011 Leath St.

Councilmember Oakley moved to close the public hearing, authorize the amendment and pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Hill, Rasansky absent)

Assigned ORDINANCE NO. 25057.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2972

Item 50: Public Hearing - MISCELLANEOUS HEARING

A public hearing was called to authorize an amendment to the CBD Streets and Vehicular Circulation Plan to reduce the pavement width of Record Street from Wood Street to Jackson Street from 45 feet to 36 feet and an ordinance implementing the change - Estimated Revenue Loss: \$5,200 annually.

The following individuals addressed the city council regarding the amendment:

Marc Richman, 304 S. Record St. **(OPPOSE)**
Carolina Pace, 4524 Lorraine Ave., Highland Park **(OPPOSE)**
Todd Hall, 406. S. Akard St., representing the applicant **(FAVOR)**
Don Blizzard 400 S. Record St, representing Belo Corporation **(FAVOR)**
William Hopkins, 2011 Leath St. **(DID NOT INDICATE POSITION)**

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

Motion seconded by Councilmember Housewright.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Walne voting "No". (Hill, Rasansky absent; Thornton Reese absent when vote taken)

Assigned ORDINANCE NO. 25058.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2973

Item 51: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2974

Item 52: Authorize adoption of the City's State Legislative Agenda as recommended by the Legislative Affairs Committee - Financing: No cost consideration to the City

The following individual addressed the city council regarding the City's State Legislative Agenda:

Gay Hopkins, 6030 Monticello Ave.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2975

Item 53: Authorize adoption of the 2003 City Calendar - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2976

Item 54: Authorize (1) sidewalk paving improvements for Sidewalk Group 98-116; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on November 13, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Councilmember Fantroy moved to hold consent agenda item 54 until later in the meeting.

Mayor Miller stated that consent agenda item 54 would be considered later in the meeting, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting Mayor Miller called the vote on consent agenda item 54.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Fantroy voting "No". (Thornton Reese absent when vote taken; Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2977

Closed Session

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

- Darrell Guy v. City of Dallas and Reata Construction Company, Cause No. JC01-2068A
- D&D Surety and Insurance Agency v. City of Dallas and Gramercy Insurance Company, Cause No. cc-00-06563-d
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H
- City of Heath v. City of Dallas, Cause No. 1-02-442

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

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

- Darrell Guy v. City of Dallas and Reata Construction Company, Cause No. JC01-2068A
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2978

Addendum addition 1: Approval of Minutes of the September 30, 2002 City Council Meeting

Deputy Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Councilmember Walne and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2979

Addendum addition 2: Authorize a forty-year agreement with the Veterans Memorial Garden Committee for the construction, installation and maintenance of five war memorials at the Dallas Convention Center and the relocation of the Texas 36th Monument - Financing: No cost consideration to the City

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2980

Addendum addition 3: Authorize the rejection of bids for audio/visual equipment for the Jack Evans Police Headquarters facility and the readvertisement for new bids - Financing:
No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2981

Addendum addition 4: An ordinance abandoning a floodway easement to the Richardson Independent School District, the abutting owner, containing approximately 44,499 square feet of land located near the intersection of Audelia Road and Walnut Street, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Hill, Rasansky absent)

Assigned ORDINANCE NO. 25059.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2982

Addendum addition 5: An ordinance appointing Jay Robinson, Victor Ortiz or Vonciel Hill as Administrative Municipal Judge for the City of Dallas Municipal Court of Record for a two-year term ending May 31, 2004 - Financing: No cost consideration to the City

After all votes were cast and tabulated to appoint Jay Robison, Victor Ortiz or Vonciel Hill as Administrative Municipal Judge, Mayor Miller read the votes as follows:

Jay Robinson

Mayor Miller
Councilmember Housewright
Councilmember Oakley
Councilmember Poss
Councilmember Walne
Councilmember Finkelman
Councilmember Greyson
Councilmember Lill

Victor Ortiz

Deputy Mayor Pro Tem Loza
Councilmember Garcia

Vonciel Hill

Councilmember Thornton Reese
Councilmember Chaney
Councilmember Fantroy

Councilmember Walne moved to appoint **Jay Robinson** as Administrative Municipal Judge for the City of Dallas Municipal Court of Record and pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Thornton Reese voting "No." (Hill, Rasansky absent)

Assigned ORDINANCE NO. 25060.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2983

Addendum addition 6: Authorize adoption of the Long Range Development Plan for the Park and Recreation Department - Financing: No cost consideration to the City

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Hill, Rasansky absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2984

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, OCTOBER 9, 2002

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 9, 2002

02-2920

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR LAURA MILLER, PRESIDING

PRESENT: [13] Miller, Loza, Garcia, Housewright, Thornton Reese, Oakley, Chaney, Fantroy,
Poss, Walne, Finkelman, Greyson, Lill
ABSENT: [2] Hill, Rasansky

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 9, 2002

02-2970

Item 48: Public Hearing - CITY CODE AMENDMENT

A public hearing was called on an amendment to Chapters 41A and 51A of the Dallas City Code to revise regulations for establishing compliance dates for nonconforming uses and an ordinance implementing the amendments.

(The city commission recommended approval.)

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

Michael Jung, 4300 Bank of America Plaza, representing Bank of America NA
Maxine ~~Enarson~~, Aaronson 3131 McKinney Ave., representing Dallas Homeowners League

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

The following individual addressed the city council regarding city code amendment:

William Hopkins, 2011 Leath St.

Councilmember Housewright moved to defer the item until the October 23, 2002 city council meeting and for a briefing to be held on October 16, 2002.

Motion seconded by Councilmember Greyson and unanimously adopted. (Hill, Rasansky absent)