

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 23, 2002

02-3000

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 9:21 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 6:07 p.m.

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Mayor

ATTEST:

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City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 23, 2002

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 23, 2002

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3001

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: Who is for Hire?

SPEAKER: Kristen Toney, 6373 Bordeaux Ave.  
REPRESENTING: Bordeaux Village Homeowners Association  
SUBJECT: Wal-Mart rezoning

SPEAKER: Michael Morris, 5309 Bryan St.  
SUBJECT: Increase in sewer trap and water meter fees

SPEAKER: Albert Haynes, 2525 Players Ct.  
REPRESENTING: People for Wal-Mart at Northpark  
SUBJECT: Wal-Mart

SPEAKER: Roy Crew, Sr., 3050 S. Marsalis Ave.  
SUBJECT: Neighborhood Issues

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Anna Nelson, 6890 Cockrell Hill Rd.  
SUBJECT: Dallas Police Department

SPEAKER: Taylor Brannon, 1514 Homeland St.  
REPRESENTING: National Youth Political Action Coalition  
SUBJECT: Mobile voting

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Genocide against the Dallas City Council/City Code Chapter 19 Section 83.4

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.  
SUBJECT: Election fraud

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NO SHOW**  
REPRESENTING: United Peace and Justice  
SUBJECT: Peace and Justice

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3002

Item 1: Approval of Minutes of the October 9, 2002 City Council Meeting

Councilmember Walne moved to approve the minutes, as corrected by Councilmember Greyson. Councilmember Greyson stated that on agenda item 48, that the speakers appearing in favor of the city plan commission's recommendation, were in opposition to the city plan commission's recommendation. Also, on agenda item 48, Maxine Enarson name was misspelled, and the corrected spelling should be Aaronson.

Motion seconded by Councilmember Garcia and unanimously adopted.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3003

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-55 was presented for consideration.

The city secretary announced that the city manager had deleted addendum addition 5 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

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

Councilmember Rasansky requested that consent agenda items 6, 7, 30, 32, 34, 35, 39, 48, 52 and 53 be considered as individual items. Mayor Miller stated that consent agenda items 6, 7, 30, 32, 34, 35, 39, 48, 52 and 53 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Garcia requested that consent agenda item 39 be considered as an individual item. Mayor Miller stated that consent agenda item 39 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Councilmember Greyson requested that consent agenda item 40 be considered as an individual item. Mayor Miller stated that consent agenda item 40 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Before the consent agenda was considered, the city manager requested that consent agenda item 39 be deleted from the consent agenda to be briefed before the full council at the November 6, 2002 briefing meeting of the city council and brought back on the November 13, 2002 voting agenda meeting of the city council for action.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda items with the exception of consent agenda item 39, which was deleted, and consent agenda items 2, 6, 7, 30, 32, 34, 35, 40, 48, 52 and 53, which would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3004

Item 2: Authorize a contract with Earline M. Green to collaborate with the architect to design, fabricate and install an artwork for the new Lancaster/Kiest Library - Not to exceed \$65,000 - Financing: 1998 Bond Funds

Councilmember Thornton Reese 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 Thornton Reese's request.

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3005

Item 3: Authorize a contract with Charlotte Lindsey to collaborate with the architect to design, fabricate and install an artwork for the new terminal at Dallas Executive Airport - Not to exceed \$54,500 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3006

Item 4: Authorize a professional services contract with MESA Design Group for the design and preparation of construction documents for the Great Trinity Forest - Moore Park Gateway, which includes a canoe launch, trail, entry pavilion and associated parking - \$236,805 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3007

Item 5: Authorize a contract for limestone repairs at Science Place I and Science Place II at Fair Park - Brazos Restoration & Waterproofing, Inc., lowest responsible bidder of nine - \$278,652 - Financing: General Capital Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3008

Item 6: Authorize (1) Supplemental Agreement No. 6 to the contract with Hunt Construction Group, Inc. to increase the Guaranteed Maximum Price for the Love Field Parking Garage Expansion in an amount not to exceed \$879,053, from \$54,025,426 to \$54,904,479, and (2) an increase in the contract with Thos. S. Byrne, Inc. for the replacement and additional overhead, cantilevered, and double post roadway signage along Cedar Springs roadway - \$879,053, from \$40,212,599 to \$41,091,652, within the Guaranteed Maximum Price - Total not to exceed \$879,053 - Financing: Aviation Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 6 be considered as an individual item. Mayor Miller stated that consent agenda item 6 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 6 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3009

Item 7: Authorize an increase in the contract with Manhattan Construction Company for construction changes related to civil, structural, electrical, mechanical, plumbing, fire protection, slurry wall, and architectural work for the Dallas Convention Center Expansion & Renovation 2002 project - \$516,029, from \$96,295,172 to \$96,811,201, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

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

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

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3010

Item 8: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Mexicana Drive from Canada Drive to dead-end -  
Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25062.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3011

Item 9: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Centennial Boulevard/Miami Drive from Buttercup Lane to Elam Road - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25063.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3012

Item 10: An ordinance levying benefit assessments for sidewalk paving improvements on Preston Road from LBJ Freeway to Forest Lane (east side only) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25064.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3013

Item 11: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Barnes Bridge Road from Garland Road to Shiloh Road - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25065.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3014

Item 12: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Cheyenne Road from Lake June Road to Checota Drive - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25066.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3015

Item 13: An ordinance levying benefit assessments for alley paving, storm drainage, water and wastewater main improvements for Alley Group 98-1117 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25067.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3016

Item 14: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-114 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25068.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3017

Item 15: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-121 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25069.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3018

Item 16: An ordinance levying benefit assessments for street paving improvements on Bainbridge Avenue from Meadow Stone Lane to 700 feet south - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25070.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3019

Item 17: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-431 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25071.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3020

Item 18: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-433 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25072.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3021

Item 19: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-434 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25073.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3022

Item 20: An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-432 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25074.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3023

Item 21: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-113 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25075.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3024

Item 22: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-115 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25076.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3025

Item 23: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-117 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25077.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3026

Item 24: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-119 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25078.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3027

Item 25: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-120 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25079.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3028

Item 26: An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-122 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25080.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3029

Item 27: An ordinance levying benefit assessments for sidewalk paving improvements on Forest Lane from LBJ Freeway to Audelia Road - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25081.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3030

Item 28: Authorize (1) street paving, storm drainage, water and wastewater main improvements on Highland Road from Ferguson Road to Jim Miller Road; 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 December 11, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3031

Item 29: Authorize (1) street paving, storm drainage, water and wastewater main improvements for Street Group 98-436; 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 December 11, 2002, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3032

Item 30: Authorize a third amendment to the lease with Jet Aviation Texas, Inc. to add approximately 67,435 square feet of improved land at Dallas Love Field - Estimated Annual Revenue: \$17,533

Councilmember Rasansky requested that consent agenda item 30 be considered as an individual item. Mayor Miller stated that consent agenda item 30 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 30 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3033

Item 31: Authorize a twenty-nine-month sublease agreement with Agape Clinics of Texas, Inc. for approximately 1,488 square feet of office and clinic space located at 1459 Acton Avenue in the City of Duncanville to be used as a Women, Infants and Children clinic for the period November 1, 2002 through March 31, 2005 - \$1,798 per month for a total of \$21,576 annually - Financing: Texas Department of Health Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3034

Item 32: Authorize a thirty-six-month service contract for removal of excavated materials with the lowest responsible bidder of three - Herdez Trucking, Inc. - Not to exceed \$993,153 - Financing: Water Utilities Current Funds

Councilmember Rasansky 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 Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3035

Item 33: Authorize a thirty-six-month service contract for communicable disease exposure testing services with the lowest responsible bidder of three - Princeton Biomedical Laboratories - Not to exceed \$61,025 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3036

Item 34: Authorize a thirty-six-month price agreement for dress and station wear uniforms with the lowest responsible bidders of eight - GST Public Safety, L.L.C., Direct Action Uniforms and C & G Wholesale dba C & G Police Supply - Not to exceed \$3,020,406 - Financing: Current Funds (subject to annual appropriations)

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

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

The following individual addressed the city council regarding the price agreement:

Ed Phillips, 4904 Dufferine St., Arlington, representing Spiewak

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3037

Item 35: Authorize a twenty-four-month price agreement for dome treated posts with the lowest responsible bidder of four - GSI Highway Products - Not to exceed \$113,830 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 35 be considered as an individual item. Mayor Miller stated that consent agenda item 35 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 35 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3038

Item 36: Authorize the purchase of fifty-seven ballistic vests to be used by the Tactical and Narcotics divisions of the Police Department from the lowest responsible bidders of five - U.S. Armor Corporation and Brian Ginsburg Investments dba New York Clothiers - Not to exceed \$105,068 - Financing: Current Funds (\$74,880), Confiscated Money Funds (\$30,188)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3039

Item 37: Authorize the purchase and installation of 81 tarpaulin systems for brush collection trailers with the lowest responsible bidder of three - Robertson Fleet Service - Not to exceed \$121,946 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3040

Item 38: Ratify an emergency purchase of two fifteen-passenger vans for the Police Department Tactical division for homeland security from Classic Chevrolet - \$40,706  
- Financing: 2000 Local Law Enforcement Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3041

Item 39: Authorize a second amendment to the contract with Deloitte & Touche LLP, in association with Lawson Associates Inc., Kronos Incorporated and Business Software Inc., to provide for the annual hosting and maintenance fees for the Human Resources Information System in the amount of \$1,076,744, from \$6,889,650 to \$7,966,394 - Financing: Current Funds

The city secretary announced that the city manager had deleted agenda item 39 from the agenda in accordance with Subsection 7.1 of the City Council Rules of Procedure.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3042

Item 40: Authorize amendments to the City Plan Commission's Rules of Procedure relating to revised rules and membership requirements for the Zoning Ordinance Advisory Committee, the Urban Design Advisory Committee and to match current language of the Dallas Development Code, City Charter, City Code and State law - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 40 be considered as an individual item. Mayor Miller stated that consent agenda item 40 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 40 was brought up for consideration.

Councilmember Greyson moved to defer the item until the November 13, 2002 voting agenda meeting of the city council.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3043

Item 41: Authorize (1) a public hearing to be held on November 13, 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 four buildings located at 1530 Main Street, 1609 Main Street, 1506 Commerce Street and 1512 Commerce Street in the Main Street Retail Initiative Area of the City Center TIF District, 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

October 23, 2002

02-3044

Item 42: Authorize an Interlocal Agreement with Dallas County setting the terms of Dallas County's participation in the amended Project Plan and Reinvestment Zone Financing Plan previously approved on May 22, 2002 by Ordinance No. 24944, as amended, for Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3045

Item 43: Authorize a secured, no-interest forgivable loan agreement with Rebuilding Our Community, Inc. for the acquisition and renovation of a facility located at 3224 South Westmoreland for the period November 1, 2002 through October 31, 2003 (Agencies that acquire and renovate properties with Community Development Grant Funds are required to provide a public service to eligible persons for a minimum of five years) - Not to exceed \$150,000 - Financing: 2000-01 Community Development Grant Reprogramming Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3046

Item 44: Authorize the acceptance of additional funds from Texas Department of Health to increase funding for the enhancement of the City of Dallas Childhood Lead Poisoning Prevention Program for the period July 1, 2002 through June 30, 2003 and execution of the grant agreement - Not to exceed \$4,000, from \$60,000 to \$64,000 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3047

Item 45: Authorize an amendment to the Program Statement for the Basic Home Repair Program approved by City Council on August 14, 2002 that: (1) if the borrower doesn't remain in the property 15 years, provides for repayment of Basic Home Repair loans based on the original loan amount or the increase in property value of the home as of date of change in ownership or occupancy of the property, whichever is less; (2) provides for expiration of the City's lien for the loan amount fifteen years after the completion of the repair project if the borrower remains in the property 15 years; (3) clarifies that approved repair applications received prior to October 1, 2002 may qualify for replacement housing assistance upon approval of the City Council; and (4) deletes program provisions that have expired per previous City Council resolutions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3048

Item 46: Authorize a maintenance agreement with American Management Systems, Inc. for the support and maintenance of the City's automated financial system - Not to exceed \$151,522 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3049

Item 47: Authorize payment of the remaining balance to the North Central Texas Regional Certification Agency for annual membership dues for the period of January 1, 2002 through December 31, 2002 and renewal for the period January 1, 2003 through December 31, 2003 - Not to exceed \$42,850 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3050

Item 48: Authorize a three-year contract with two one-year renewal options with Youth Services Council to provide after-school programs at Skyview Elementary School, Forest Lane Academy and Northlake Elementary School - \$57,294 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 48 be considered as an individual item. Mayor Miller stated that consent agenda item 48 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 48 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

October 23, 2002

02-3051

Item 49: Authorize an amendment to the lease agreement with Dorbet, Inc., an Hawaii corporation, Dorbet, Inc., a Texas corporation and Leis >Ohana Hui Family Partnership, Ltd., a Texas limited partnership for a six-month renewal for approximately 12,200 square feet of office space located at 100 N. Central Expressway, to be used as a field operation office for the Police Department S.A.F.E. II Unit for the period December 1, 2002 through May 31, 2003 - \$73,200 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3052

Item 50: Authorize the acceptance of the Big Wheels/2 grant from the Office of the Governor, Criminal Justice Division to combat crime in and around truck stops, for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement - \$74,419 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3053

Item 51: Authorize the acceptance of the East Dallas Community Enhancement Program/3 grant from the Office of the Governor, Criminal Justice Division in the amount of \$33,441 to support the East Dallas Storefront, for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$21,874 and execution of the grant agreement - \$55,315 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$33,441) and Current Funds (\$21,874)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3054

Item 52: Authorize the acceptance of the Public School Child Abuse Response Team/4 grant from the Office of the Governor, Criminal Justice Division to coordinate with the Dallas Independent School District to investigate child abuse complaints, for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$112,520 and execution of the grant agreement - \$160,956 - Financing: Current Funds (\$112,520), and Office of the Governor, Criminal Justice Division State Grant Funds (\$48,436)

Councilmember Rasansky requested that consent agenda item 52 be considered as an individual item. Mayor Miller stated that consent agenda item 52 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 52 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3055

Item 53: Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the Dallas Independent School District effective October 1, 1999 through September 30, 2004, to provide Dallas Police school liaison services - Revenue: \$887,500

Councilmember Rasansky requested that consent agenda item 53 be considered as an individual item. Mayor Miller stated that consent agenda item 53 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 53 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3056

Item 54: Authorize renewal of the Interlocal Agreement with Dallas County, acting through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis and other similar medical/forensic analytical services, provided to the Dallas Police Department and the Dallas Fire Department, for the period of October 1, 2002 through October 31, 2003 - \$2,200,000 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3057

Item 55: Authorize submission of the list of candidate transportation projects to Collin County for the 2003 Collin County Bond Program, and authorize acceptance and implementation of the projects selected by the Collin County Commissioners Court – City’s match will not exceed \$3,500,000 and can be provided by a future bond program, other city funds, or private funding sources – 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 23, 2002

02-3058

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 56-62, was presented.

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

~~Agenda item 56: Zoning Case Z012-225 (JC)~~                    **[Considered individually]**  
Agenda item 57: Zoning Case Z012-239 (RB)  
Agenda item 58: Zoning Case Z012-240 (RB)  
Agenda item 59: Zoning Case Z012-245 (FD)  
Agenda item 60: Zoning Case Z012-246 (RB)  
Agenda item 61: Zoning Case Z012-260 (WE)  
Agenda item 62: Zoning Case Z012-267 (WE)

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

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

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

William Hopkins, 2011 Leath St., regarding zoning case Z012-260 (WE)

Councilmember Thornton Reese 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. (Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3059

Item 56: Zoning Case Z012-225 (JC)

The consent zoning docket, consisting of agenda items 56-62, was presented.

Councilmember Thornton Reese requested that consent zoning docket item 56 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 56 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Thornton Reese' request.

Later in the meeting, zoning docket item 56 was brought up for consideration.

A public hearing was called on zoning case Z012-225 (JC), an application for and an ordinance granting an NS Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on Ireland Street west of Tolbert Street.

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

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

The following individual addressed the city council regarding zoning case Z012-225 (JC):

Raul Gonzalez, 401 Martinique Ave.

Councilmember Thornton Reese moved to postpone the application until the November 13, 2002 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3060

Item 57: Zoning Case Z012-239 (RB)

Zoning Case Z012-239 (RB), an application for and an ordinance granting an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution accepting new deed restrictions and terminating the existing deed restrictions on property zoned an O-1 Office Subdistrict on the west corner of Cedar Springs Road and Raleigh Street.

(The city plan commission recommended approval of an MF-2 Multiple Family Subdistrict, approval of the termination of existing deed restrictions, and approval of new deed restrictions volunteered by the applicant.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25082.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3061

Item 58: Zoning Case Z012-240 (RB)

Zoning Case Z012-240 (RB), an application for and an ordinance granting an amendment to the development plan and conditions for the Office 3 and Retail 3 portions of Planned Development District No. 222 for SC Shopping Center District Uses on the northwest corner of Preston Road and Frankford Road.

(The city plan commission recommended approval, subject to a development plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25083.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3062

Item 59: Zoning Case Z012-245 (FD)

Zoning Case Z012-245 (FD), an application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment to be used as a bar, lounge or tavern, and a Commercial amusement (Inside) use to be used as a Class A Dance hall, on property zoned a Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Malcolm X Boulevard and Southland Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25084.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3063

Item 60: Zoning Case Z012-246 (RB)

Zoning Case Z012-246 (RB), an application for and an ordinance granting a Specific Use Permit for a Mini-warehouse use on property zoned a CR Community Retail District north of Illinois Avenue and east of Cockrell Hill Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25085.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3064

Item 61: Zoning Case Z012-260 (WE)

Zoning Case Z012-260 (WE), an application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an RR-D-1 Regional Retail District with a Dry Overlay, on the south side of Antoinette Street, west of US Highway 175.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25086.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3065

Item 62: Zoning Case Z012-267 (WE)

Zoning Case Z012-267 (WE), an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an RR Regional Retail District, south of Duncanville - Wheatland Road and east of Westmoreland Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25087.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3066

Item 63: Public Hearing - Zoning Case Z012-242 (PC)

A public hearing was called on zoning case Z012-242 (PC), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District on the northwest corner of Lancaster Road and Camp Wisdom Road .

(The city plan commission recommended denial.)

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

Betty Culbreath-Lister, 1636 Bar Harbor Dr.  
Sandra Crenshaw, 1431 Quartet Dr.  
Larry Goode, 2808 Fairmont St.  
Jaythom Graves, 2808 Fairmont St.  
Marlon Rollins, 1105 Woodmeadow Pkwy.

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

Ruth Steward, 7022 Balalaika Rd.  
Quan Gray, 7316 Lancaster Rd.  
Allen McGill, 1445 Firebird Dr.  
Henry Steward, 7022 Balalaika Rd.  
Debra Dennis (no address given), representing WDD Corporation

Councilmember Fantroy moved to close the public hearing, overrule the city plan commission and follow the staff's recommendation with the following change:

- “1. Change the uses allowed in the residential use subdistrict from those allowed in MF-2 (A) districts to those allowed in R-5(A) districts.
2. The following additional uses are not allowed in the mixed use subdistrict: animal shelter, car wash, mortuary, funeral home or commercial wedding chapel, motor vehicle fueling station, pawn shop and restaurant with drive-in or drive-through service” and pass the ordinance.

Motion seconded by Councilmember Chaney.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

02-3066

Page 2

After discussion, Mayor Pro Tem Hill called the vote on the motion:

Voting Yes: [14] Hill, Loza, Garcia, Housewright, Thornton Reese, Oakley,  
Chaney, Fantroy, Poss, Walne, Finkelman, Greyson,  
Rasansky, Lill

Voting No: [0]

Absent when vote taken: [1] Miller

Mayor Pro Tem Hill declared the motion adopted.

Assigned ORDINANCE NO. 25088.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3067

Item 64: Public Hearing - Zoning Case Z012-244 (PC)

A public hearing was called on zoning case Z012-244 (PC), an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District on Lancaster Road, northwest of Wheatland Road, and Wheatland Road, southwest of Lancaster Road.

(The city plan commission recommended denial.)

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

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

Robert Pitre, 1801 E. Wheatland Rd. representing Skyline Ranch  
Abraham Wade, 7451 Lancaster Rd.  
Ruth Steward, 7022 Balalaika Rd.  
Sandra Crenshaw, 1431 Quartet Dr.  
Quan Gray, 7316 Lancaster Rd.  
Darla Ellis, (no address given)

The following individuals addressed the city council regarding zoning case Z012-244 (PC):

Jaythom Graves, 2808 Fairmont St.  
William Hopkins, 2011 Leath St.

Councilmember Fantroy moved to postpone the application until the December 11, 2002 voting agenda meeting of the city council and to continue the public hearing at that time.

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

**[Councilmember Fantroy requested a letter from the developer stating that they would not burn.]**



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3068

Item 65: Public Hearing - Zoning Case Z012-266 (MF)

A public hearing was called on zoning case Z012-266 (MF), an application for a Specific Use Permit for a Private School use on property zoned an R-7.5(A) Single Family District and an ordinance granting the extension of the time period for Specific Use Permit No. 1355 for a Private School to July 1, 2006, on the northwest corner of the intersection of Arapaho Road and Meadowcreek Drive.

(The city plan commission recommended denial of a new Specific Use Permit for a private school and approval of an additional three year time period for Specific Use Permit No. 1355, extending the expiration date until July 1, 2006.)

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

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

Jonathan Vinson, 5516 Tremont St., representing the applicant

The following individual addressed the city council regarding zoning case Z012-266 (MF):

William Hopkins, 2022 Leath St.

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

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

Assigned ORDINANCE NO. 25089.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3069

Item 66: Public Hearing - Zoning Case Z012-273 (MF)

A public hearing was called on zoning case Z012-273 (MF), an application for and an ordinance granting an amendment to Planned Development District No. 363 for residential, office and retail uses on property located on Grand Avenue, southwest of Jeffries Street, northwest side.

(The city plan commission recommended approval, subject to revised conditions.)

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

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

Donald R. Parrish, 302 Glen Oaks Blvd., representing South Fair Community Development

The following individual addressed the city council regarding zoning case Z012-273 (MF):

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 25090.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3070

Item 67: Public Hearing - Zoning Case Z012-213 (JC)

A public hearing was called on zoning case Z012-213 (JC), an application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned a TH-2(A) Townhouse District and an R-7.5(A) Single Family District on Polk Street, north of Kirnwood Drive.

(The city plan commission recommended approval of a Specific Use Permit for a child-care facility on the existing site for a five-year time period subject to a site plan and conditions, and denial of the SUP for the expanded facility and access across a residential lot line. This item was considered by the City Council at a public hearing on September 25, 2002, and was taken under advisement until October 23, 2002, with the public hearing open.)

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

Appearing in opposition to denial of the SUP for the expanded facility:

Vivian Thomas, 7363 S. Polk St., the applicant

The following individual addressed the city council regarding zoning case Z012-213 (JC):

William Hopkins, 2011 Leath St.

Mayor Pro Tem Hill 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. (Miller absent when vote taken)

Assigned ORDINANCE NO. 25091.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3071

Item 68: 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 west side of Buena Vista Street south of Fitzhugh Avenue.

(The city plan commission recommended denial. This item was considered by the City Council at a public hearing on September 25, 2002, and was taken under advisement until October 23, 2002, with the public hearing open.)

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

Councilmember Lill moved to postpone the application until the December 11, 2002 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3072

Item 69: Public Hearing -ZONING CASES UNDER ADVISEMENT – INDIVIUDAL

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 plan commission recommended approval. This item was considered by the City Council at a public hearing on October 9, 2002, and was taken under advisement until October 23, 2002, with the public hearing open.)

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

Michael Jung, 7143 Fisher Rd., representing American Bank  
Randy Staff, 6964 Tokalon Dr.

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

The following individual addressed the city council regarding the Dallas City Code:

William Hopkins, 2011 Leath St.

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

“The city council may request that the board of adjustment establish a compliance date for a nonconforming use. In addition, any person who resides or owns real property in the city may request that the board establish a compliance date for a nonconforming use” and pass the ordinance.

Motion seconded by Councilmember Oakley.

Councilmember Finkelman moved to substitute for Councilmember Lill's motion:

“The city council may request that the board of adjustment consider establishing a compliance date for a non conforming use. In addition, any person who resides or owns real property in the city may request that the board consider establishing a compliance date for a nonconforming use” and pass the ordinance.

Motion seconded by Councilmember Oakley.

Assigned ORDINANCE NO. 25092.

**[Before the vote was taken Councilmember Lill had to leave the meeting. She asked that the record reflect that she accepted Councilmember Finkelman's substitute motion and show her voting in favor of the motion.**

**Mayor Pro Tem Hill asked the city secretary to reflect in the record that Councilmember Lill had voted in favor of the motion.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3073

Item 70: 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 October 23, 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.

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

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

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

**02-3091 EHS ENVIRONMENTAL HEALTH COMMISSION**

**02-3092 URS URBAN REHABILITATION STANDARDS BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3074

Item 71: Authorize the City of Dallas Housing Finance Corporation to amend its Multifamily Program policy guidelines with respect to tax-exempt bond financing for multifamily housing projects will focus on multifamily housing projects involving: (1) rehabilitation or replacement; (2) new senior developments; (3) new construction in targeted distressed neighborhoods (as defined by the City Council from time to time); (4) Community Housing Development Organization initiated projects; and (5) new construction of affordable family housing outside of targeted areas where the developer receives tax-exempt bond financing under the State of Texas Private Activity Bond Cap and provides evidence of both neighborhood support for the project as well as on-going participation by the community in project planning and development oversight - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

Later in the meeting, Deputy Mayor Pro Tem Loza moved to defer the item until full council has been briefed.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3075

Item 72: Authorize payment of annual fees and continuation of arrangements for providing specialized municipal-related services to the City - Airports Council International (\$29,485), American Water Works Association Research Foundation (\$250,000), Association of Metropolitan Water Sewage Agencies (\$17,825), Dallas Regional Mobility Coalition (\$37,500), National League of Cities (\$27,350), North Central Texas Council of Governments (\$120,830), North Texas Commission (\$101,984), Public Technology, Inc. (\$33,000), Texas Coalition of Cities on Franchised Utility Issues (\$60,000), Texas Municipal League (\$44,550), Transportation Excellence for the 21st Century (\$25,000), United States Conference of Mayors (\$30,295) Water Environmental Research Foundation (\$80,000) - Total not to exceed \$857,819 - Financing: Aviation Current Funds (\$29,485), Current Funds (\$378,525), Public/Private Partnership Funds (\$101,984), and Water Utilities Current Funds (\$347,825)

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3076

Item 73: 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 city manager has made an agreement with Jeffrey Square Apartments, for an agreement that is fair for the city.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3077

Item 74: 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

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3078

Closed Session

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

- James B. Oglesby v. City of Dallas, Cause No. DV00-01001-E
- Deborah A. Branton v. City of Dallas, et al., Civil Action No. 3:CV-97-0245-P
- Deborah Branton v. City of Dallas and Chief of Police Bennie R. Click, individually and in his official capacity, Cause No. 97-10670-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
- Bouathong Vongphachanh v. City of Dallas, Court of Appeals Fifth District of Texas at Dallas No. 05-02-00566-CV
- City of Heath v. City of Dallas, Cause No. 1-02-442

Personnel (Sec. 551.071 T.O.M.A.)

- Annual Performance Evaluation of the City Manager

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.)

- James B. Oglesby v. City of Dallas, Cause No. DV00-01001-E
- Deborah Branton v. City of Dallas and Chief of Police Bennie R. Click, individually and in his official capacity, Cause No. 97-10670-A
- Bouathong Vongphachanh v. City of Dallas, Court of Appeals Fifth District of Texas at Dallas No. 05-02-00566-CV
- City of Heath v. City of Dallas, Cause No. 1-02-442

Personnel (Sec. 551.071 T.O.M.A.)

- Annual Performance Evaluation of the City Manager

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3079

Addendum addition 1: Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, P.C., for additional legal services and related expenses necessary in the lawsuit styled Deborah A. Branton v. City of Dallas, Civil Action No. 3:CV-97-0245-P, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000, from \$150,000 to \$250,000 - Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3080

Addendum addition 2: An ordinance abandoning a sanitary sewer easement to MBJH Corporation, the abutting owner, containing approximately 10,838 square feet of land located near the intersection of Troyglen Drive and Lazy River Drive, providing for the dedication of a new easement and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Fantroy moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 25093.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3081

Addendum addition 3: Authorize an amendment to the real property tax abatement agreement with Jefferson at Kessler Heights, Phase I, L.P. and Jefferson at Kessler Heights, Phase 2, L.P., previously approved on April 14, 1999 by Resolution No. 99-1298, to extend the date for substantial completion from August 31, 2003 to December 31, 2003 - Financing: No cost consideration to the City

The following individuals were in support of the item but did not speak:

John Santry, 5427 Stanford St.

Jonathan Vinson, 5516 Tremont St., representing JPI

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3082

Addendum addition 4: Authorize a three-year sublease agreement with Texas joint venture, for approximately 7,975 square feet of office and warehouse space located in the 1900 block of Irving Boulevard to be used by the Sales and Auction section of the Office of Business Development and Procurement Services Department (formerly Office of Purchasing/Business Diversity Development), for conducting the City's surplus auctions and the operation of a retail storefront to sell marketable merchandise for the period November 1, 2002 through November 1, 2005 - \$3,157 per month, for a total of \$37,882 annually - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky moved to approve the item, with the following change:

“That a two-year sublease agreement and the finances will be presented to the Business and Commerce on a quarterly basis”

Motion seconded by Councilmember Walne and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3083

Addendum addition 5: Consideration of sanctions against David Spence, City Plan Commission member in connection with a violation of the City's Code of Ethics (Closed Session, if necessary, Personnel, Sec. 551.074 T.O.M.A.) - Financing: No cost consideration to the City

The city secretary announced that the city manager had deleted addendum addition 5 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3084

Addendum addition 6: Authorize the acceptance of a grant from the North Central Texas Council of Governments' Solid Waste Grant Funding Program for a Multi-Family Single-Stream Recycling Pilot Program from November 1, 2002 through August 31, 2003 - \$25,000 - Financing: North Central Texas Council of Governments Grant Funds

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3085

Addendum addition 7: A resolution supporting legislation and Dallas Area Rapid Transit policy changes to allow expansion of Dallas Area Rapid Transit services to local jurisdictions through local option citizen elections pledging payments to the Dallas Area Rapid Transit system in an amount equivalent to a one-cent sales tax - Financing: No cost consideration to the City

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

Councilmember Greyson moved to approve the resolution with the following change:

In Section 2: The projects that are shown on the DART System plan or COG Mobility Plan and those plans in effect that the time that the new member city is petitioning to join DART”

Motion seconded by Councilmember Thornton Reese.

Later in the meeting, Councilmember Greyson moved to defer the resolution until the next Transportation and Telecommunications Committee meeting and a full council briefing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3086

Addendum addition 8: Authorize (1) an exception to the Land Transfer Program Statement and (2) a loan agreement with Parmer Villas Housing, L. P. to (a) reimburse up to \$1,100,000 for demolition, environmental remediation and related costs associated with a 408 unit apartment complex located at or near 4700 - 5000 Meadow Street and known as Meadow Grove Apartments or Emanuel Properties, and (b) release and/or dismiss all code enforcement actions and release non-tax and water liens water against the apartment complex in exchange for Parmer Villas Housing, L.P. providing a minimum of 230 units to a maximum of 285 units of affordable housing at this site for low income families - \$1,100,000 - Financing: Demolition Reserve Funds

The following individual addressed the city council regarding the Parmer Villas Housing, L.P.:

Clara Young, 3214 Goldspier Dr.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3087

Addendum addition 9: Authorize (1) two contracts for construction materials and services for the Nasher Sculpture Center in an amount not to exceed \$476,613, within the development agreement, and (2) assignment of the construction contracts to The Nasher Foundation for construction management in accordance with the development agreement previously authorized by the City Council on May 24, 2000 - Financing: No additional cost consideration to the City

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3088

Addendum addition 10: An ordinance abandoning a portion of a storm sewer easement to Centex Homes, the abutting owner, containing approximately 4,037 square feet of land located near the intersection of Buena Vista and North Haskell Avenues, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Lill moved to defer the ordinance until the December 11, 2002 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3089

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 23, 2002

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 23, 2002

02-3000

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]

**CORRECTION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3068

Item 65: Public Hearing - Zoning Case Z012-266 (MF)

A public hearing was called on zoning case Z012-266 (MF), an application for a Specific Use Permit for a Private School use on property zoned an R-7.5(A) Single Family District and an ordinance granting the extension of the time period for Specific Use Permit No. 1355 for a Private School to July 1, 2006, on the northwest corner of the intersection of Arapaho Road and Meadowcreek Drive.

(The city plan commission recommended denial of a new Specific Use Permit for a private school and approval of an additional three year time period for Specific Use Permit No. 1355, extending the expiration date until July 1, 2006.)

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

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

Jonathan Vinson, 5516 Tremont St., representing the applicant

The following individual addressed the city council regarding zoning case Z012-266 (MF):

William Hopkins, 2022 Leath St.

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

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

Assigned ORDINANCE NO. 25089.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3082

Addendum addition 4: Authorize a three-year sublease agreement with Texas joint venture, for approximately 7,975 square feet of office and warehouse space located in the 1900 block of Irving Boulevard to be used by the Sales and Auction section of the Office of Business Development and Procurement Services Department (formerly Office of Purchasing/Business Diversity Development), for conducting the City's surplus auctions and the operation of a retail storefront to sell marketable merchandise for the period November 1, 2002 through November 1, 2005 - \$3,157 per month, for a total of \$37,882 annually - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky moved to approve the item, with the following change:

“That a two-year sublease agreement and the ~~result~~ finances will be presented to the Business and Commerce on a quarterly basis”

Motion seconded by Councilmember Walne and unanimously adopted.