

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 13, 2002

02-3160

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 9:27 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 7:59 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, NOVEMBER 13, 2002

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 13, 2002

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3161

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: Enid Breakstone, 10356 Estacado Dr.  
REPRESENTING: The Queenie Foundation  
SUBJECT: The results of dog adoption at State Fair

SPEAKER: D. J. Young, 3600 Fairfax Ave.  
SUBJECT: Wal-Mart

SPEAKER: Kimberly Cole, 7031 Holly Hill Dr.  
REPRESENTING: Dallas Fire Rescue 911/311  
SUBJECT: Sharing Your Bounty

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
REPRESENTING: Malcolm X Community Council  
SUBJECT: Human Rights

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: Gerhard Degemann, 8201 Fair Oaks Blvd.  
SUBJECT: Crimes

SPEAKER: Norris Smith, 8201 Fair Oaks Blvd.  
SUBJECT: Crimes

SPEAKER: Debra Keleerman, 8201 Fair Oaks Blvd.  
SUBJECT: Crimes

**NO SHOW**

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

SPEAKER: Albert Parker, 9647 Oak Gate Ln.

REPRESENTING: John Q. Public

SUBJECT: All agenda items

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.

SUBJECT: Linebarger, Goggan, Blair and Sampson Attorney at Law

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**

SUBJECT: Civil Rights violation, Chief of Police, KKK, DISD, FBI

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3162

Item 1: Approval of Minutes of the October 23, 2002 City Council Meeting

Councilmember Greyson moved to approve the minutes as corrected. On consent agenda item 65, Jonathan Vinson did not represent JPI, but he represented the applicant and on addendum addition 4, the amendment that was read into the minutes by Councilmember Rasansky, the word results was taken out of the amendment.

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

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3163

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-58 was presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 47 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

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

Councilmember Rasansky requested that consent agenda items 3, 4, 11, 18, 25, 37, 51, 53 and 58 be considered as individual items. Mayor Miller stated that consent agenda items 3, 4, 11, 18, 25, 37, 51, 53 and 58 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda items with the exception of consent agenda item 2 which was deferred, consent agenda item 47 which was deleted, and consent agenda items 3, 4, 11, 18, 25, 34, 37, 50, 51, 53, and 58, which would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3164

Item 2: Authorize (1) a professional services contract with Carter & Burgess, Inc. to prepare a downtown parks master plan including site selection and conceptual planning for new urban parks, open spaces, plazas and other green spaces in downtown in the amount of \$365,000, (2) acceptance of donated funds from a private partnership in the amount of \$182,500, and (3) establish appropriations in the amount of \$182,500 in the Capital Gift and Donation Fund - Total not to exceed \$365,000 - Financing: 1998 Bond Funds (\$182,500) and Capital Gift and Donations Funds (\$182,500)

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

November 13, 2002

02-3165

Item 3: Authorize a professional services contract with Camp Dresser & McKee, Inc. for the preparation and conduct of the conceptual feasibility analysis for water quality and lake configuration along the Dallas Floodway of the Trinity River - \$400,000 - Financing: 1998 Bond Funds

Councilmember Rasansky requested that consent agenda item 3 be considered as an individual item. Mayor Miller stated that consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 3 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Housewright.

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

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

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3166

Item 4: Authorize a contract for replacement of the drinking fountains at Oak Cliff Municipal Center - Doric Building Corporation, lowest responsible bidder of eight - \$72,989 - Financing: 1985 Bond Funds

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

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

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3167

Item 5: Authorize a contract for roof replacement and asbestos abatement at Fretz Park Recreation Center located at 6950 Belt Line Road - Rutherford Contractors, Inc., lowest responsible bidder of four - \$103,117 - Financing: General Capital Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3168

Item 6: Authorize a contract for the replacement of the deluge system and dry pipe sprinkler system at the Northwest Transfer Station located at 9500 Harry Hines Boulevard - Simplex Grinnell, LP, only bidder - \$128,865 - Financing: General Capital Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3169

Item 7: Authorize a contract for playground renovations at Crawford Memorial, Cummings, Glendale and Pike Parks - ICE Contractors, Inc., lowest responsible bidder of five - \$221,612 - Financing: 1998 Bond Funds (\$193,347) and Park Beautification Trust Funds (\$28,265)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3170

- Item 8: Authorize Supplemental Agreement No. 1 to the contract with Pate Engineers, Inc. to extend the existing engineering design contract for Howell Street from Allen Street to Routh Street to include the design of paving, sidewalks and brick crosswalks on Howell Street from Routh Street to Fairmount Street - \$44,641, from \$59,428 to \$104,069 - Financing: 1998 Bond Funds (\$40,731), Water Utilities Bond Funds (\$3,910)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3171

Item 9: Authorize an increase in the contract with Manhattan Construction Company for construction changes related to structural, electrical, mechanical, plumbing, fire protection, and architectural work for the Dallas Convention Center Expansion & Renovation 2002 project - \$191,102, from \$96,811,201 to \$97,002,303, 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

November 13, 2002

02-3172

Item 10: Authorize an increase in the contract with Cajun Constructors, Inc. for Southcliff Pump Station and Pinnacle Park commercial development area - \$64,300, from \$7,627,226 to \$7,691,526 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3173

Item 11: Authorize an increase in the contract with Cajun Constructors, Inc. for the work associated with the Southside Wastewater Treatment Plant solids screening and thickening facility - \$144,674, from \$15,400,762 to \$15,545,436 - Financing: Water Utilities Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 11 be considered as an individual item. Mayor Miller stated that consent agenda item 11 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 11 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3174

Item 12: Authorize Supplemental Agreement No. 1 to the professional services contract with Montgomery Watson Harza, Inc. to provide services for hydraulic improvements at the Central Wastewater Treatment Plant - \$167,350, from \$1,330,000 to \$1,497,350 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3268

- Item 13: Authorize (1) a Participation Agreement with Buckner Partnership, L.P. for the construction of a traffic signal at Buckner Boulevard and Fiesta Mart Driveway, (2) the receipt and deposit of funds from Buckner Partnership L.P. in an amount not to exceed \$21,120, and (3) an increase in appropriations in the amount of \$21,120 in the Capital Projects Reimbursement Fund - \$21,120 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3269

Item 14: Authorize a Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the City's share of the cost associated with paving, drainage, water and wastewater main improvements on Military Parkway from Jim Miller Road to Elva Avenue - \$103,077 - Financing: 1995 Bond Funds (\$31,102), Water Utilities Capital Construction Funds (\$71,975)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3177

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pleasant Run/Lancaster Ltd. of approximately 1,351 square feet of land located at the intersection of Harry Hines Boulevard and Lovers Lane for Lovers Lane street improvements - \$12,835 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3178

- Item 16: Authorize conveyance of an easement and right-of-way to Oncor Electric Delivery Company, containing approximately 6,005 square feet of land, for the construction and maintenance of electrical transmission, distribution and communication systems on City-owned land at the Dallas Convention Center located near the intersection of Lamar Street and Memorial Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3179

Item 17: Authorize a relocation payment to Bernard D. Nguyen resulting from the acquisition of a building located at 2525 Ross Avenue for the Performing Arts Center Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds (\$15,000) and Performing Arts Complex Funds (\$5,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3180

Item 18: An ordinance abandoning 2 utility easements, a drainage and sidewalk easement and Preston Trail Court to 5900 Keller Springs, L.P., the abutting owner, containing a total of approximately 23,107 square feet of land in exchange for the rededication of not less than 17,751 square feet of the abandoned street right-of-way as a private street located near the intersection of Keller Springs and Preston Roads, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 18 be considered as an individual item. Mayor Miller stated that consent agenda item 18 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 18 was brought up for consideration.

Councilmember Greyson moved to approve the item.

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 Rasansky voting "No".

Assigned ORDINANCE NO. 25094.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3181

Item 19: Authorize conveyance of a wastewater easement containing approximately 1,794 square feet of land to the Dallas County Water Control and Improvement District No. 6 for the construction and maintenance of wastewater facilities across City-owned land located near the intersection of Coldbrook Lane and U.S. Highway 175 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3182

Item 20: Authorize the release of lien and discharge of the secured, no-interest, forgivable note in the amount of \$50,000 on real properties located at 2156 and 2200 East Ledbetter (Shahn's Place, Inc.) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3183

Item 21: Authorize the release of lien and discharge of two secured, no-interest, forgivable notes in the amounts of \$25,000 and \$50,000 on real property located at 4215 Maple Avenue (Dallas Community Center for the Deaf) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3184

Item 22: Authorize the release of lien and discharge of the secured, no-interest, forgivable note in the amount of \$30,000 on real property located at 2721 Lyola Street (Alameda Heights Outreach Foundation) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3185

Item 23: Authorize a service contract for the restoration and painting of seven bridges at the Tenison Park Glen East Golf Course with the lowest responsible bidder of seven - Immaculate Painting - Not to exceed \$52,751 - Financing: Golf Improvement Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3186

Item 24: Authorize a thirty-six-month service contract for emergency medical services at the Dallas Convention Center and Reunion Arena with the most advantageous proposer of four - Medcor, Inc. - City will receive 23% of gross revenues, less sales tax - Estimated Annual Revenue: \$21,769

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3187

Item 25: Authorize a thirty-six-month service contract for heating, ventilation and air conditioning maintenance and repair with the lowest responsible bidder of four - Gulf Energy Systems, Inc. - Not to exceed \$213,761 - Financing: Current Funds

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3188

Item 26: Authorize a thirty-six-month price agreement for replacement belts for specialized machinery at the Southside Wastewater Treatment Plant and the Elm Fork Purification Plant with the lowest responsible bidders of eight - Filter Belts, Inc., Andritz-Ruthner, Inc., Sitos, Texas, L.L.C., Compositelch, Inc., and RGA-Allied Belting - Not to exceed \$139,056 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3189

Item 27: Authorize a professional services contract with the law firm of Webb & Webb for legal representation of the City of Dallas on water rights matters pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$200,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3190

Item 28: Authorize an agreement with the Texas Department of Transportation, Aviation Division, to act as the City's agent to create a Runway Safety Area for Runway 31 at Dallas Executive Airport that conforms to Federal Aviation Administration design standards - Not to exceed \$225,000 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3191

Item 29: Authorize amendments to Resolutions 02-0821 and 02-0822 originally approved on February 27, 2002 for facade renovations and other improvements necessary and convenient to the redevelopment of 1520-1522 Main Street and the implementation of the project plan for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to: (1) add funding in an amount not to exceed \$95,000 for environmental remediation, thereby increasing the TIF funding from \$970,000 to \$1,065,000 plus interest, (2) extend the deadline to take out building permits or fund TIF improvements from December 2002 to June 2003 and (3) increase Main Street Investors Joint Venture and/or their tenants required investment from \$1,700,000 to \$2,000,000, including purchase price, and (4) amend minor related matters thereto - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3192

Item 30: Authorize a real property tax abatement agreement with Building No. 2, Mountain Creek, L.P. for the purpose of granting a ten-year abatement of 90 percent of the taxes on the added value to the real property for its new building located within Enterprise Zone Two on vacant land at Mountain Creek Business Park - Revenue: First year tax revenue estimated at \$4,198; ten-year revenue estimated at \$41,988; (Estimated revenue foregone for ten-year property abatement \$377,892) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3193

Item 31: An ordinance authorizing a correction to Ordinance No. 23920 for a CS Commercial Service District on the west side of Petal Street, south of Grader Street to correct the property description (Z989-190/10848-NE(MB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25095.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3194

Item 32: An ordinance authorizing a correction to Ordinance No. 24095 for a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast side of Lake Avenue, northwest of Kings Road to correct the property description (Z989-261/10949-NW(BP) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25096.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3195

Item 33: An ordinance amending the Dallas Development Code to make fee sections of Chapter 51 consistent with identical counterparts in Chapter 51A - Financing:  
No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25097.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3196

Item 34: Authorize (1) the acceptance of grant funds from the U.S. Department of Education to establish a Community Technology Center that will provide economically disadvantaged residents in zip codes 75215 and 75210 in the MLK Enterprise Community, with computer assisted instruction/training for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$12,000 and (2) execution of the grant agreement - \$292,448 - Financing: U.S. Department of Education Grant Funds (\$280,448) and Current Funds (\$12,000)

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

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

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3197

- Item 35: Authorize an increase in appropriations for grant funds received from the U.S. Department of Health & Human Services, Public Health Service for continuation of planning efforts and identification of sustainment needs required to maintain the Dallas Metropolitan Response System capabilities in the City of Dallas for the period September 30, 2001 to September 30, 2003 - \$50,000, from \$550,000 to \$600,000 - Financing: U.S. Department of Health and Human Services Public Health Service 1999 Omnibus Appropriation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3198

Item 36: Authorize a modification to the format of the uniformed police, fire, and park ranger salary schedules effective October 29, 2002 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3199

Item 37: Authorize (1) amendments to the Mortgage Assistance Program Statement to (a) provide for a downpayment and closing cost program, and a principal reduction program (b) revise the subsidy sliding scale, (c) limit the amount of out-of-pocket borrower downpayment, and (d) increase the deed restriction term to 15 years; and (2) exercise of the second of two twelve-month renewal options to the professional services contract with The Enterprise Foundation, Inc. in the amount of \$5,720,000 (\$5,270,000 program loan funds and \$450,000 administration and service delivery funds) to provide financial services and administration of the Mortgage Assistance Program for FY 02-03 - Total not to exceed \$5,720,000 - Financing: 2002-03 Community Development Grant Funds (\$329,150), 2002-03 HOME Funds (\$5,390,850) [02-3199]

Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, agenda item 37 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3200

Item 38: Authorize the reconstruction on-site of ten homes in accordance with the Home Repair Program Statement for the properties located at 2324 Arden Road, 318 Avenue G, 2427 Britton Avenue, 410 Cleaves Street, 3247 Culver Street, 4323 Jamaica Street, 2831 S. Marsalis Avenue, 1410 E. Overton Road, 5267 St. Charles Avenue, and 843 Wixom Lane - \$55,000 per property for a total not to exceed \$550,000 - Financing: 2000-01 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3201

Item 39: Authorize renewal of the personal services contract with Kwame Walker & Associates for state legislative services from November 13, 2002 through November 12, 2003 - Not to exceed \$25,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3202

Item 40: Authorize renewal of the personal services contract with Barbara T. McCall Associates, Inc. for federal legislative services for the City of Dallas from November 13, 2002 through November 12, 2003 - Not to exceed \$142,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3203

Item 41: Authorize renewal of the personal services contract with Hilgers & Watkins, P.C. for state legislative services to be provided by Mr. Randy Cain from November 13, 2002 through November 12, 2003 - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3204

Item 42: **Trinity River Project Legislative Services**

- \* Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Project from December 13, 2002 through December 12, 2003 - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3205

Item 43: **Trinity River Project Legislative Services**

- \* Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Project from December 13, 2002 through December 12, 2003 - Not to exceed \$30,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3206

- Item 44: Authorize (1) the acceptance of a revised Cultural Policy and Program which articulates the guiding principles, goals and methods through which the City will seek to meet the future cultural needs of the community and (2) an amendment to Resolution No. 94-0704 previously approved on February 9, 1994 in which the City Council revised the Cultural Policy and Program to clarify the composition, qualifications, appointments and terms of membership on the Public Art Committee of the Cultural Affairs Commission to include a change in the residency qualifications to serve on the Public Art Committee from three years to one year, in accordance with qualifications for service on other City of Dallas appointed boards and commissions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3207

Item 45: Authorize a contract with the Dallas Museum of Natural History Association for the provision of cultural services to the City through the Cultural Organization Program - \$442,341 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3208

Item 46: Authorize contracts with cultural organizations for the provision of cultural services to the City through the Cultural Organization Program (list attached)  
- Not to exceed \$4,060,925 - Financing: Current Funds (\$3,915,600) and Texas Commission on the Arts Grant Funds (\$145,325)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3209

Item 47: An ordinance awarding a franchise for 10 years to Innovative Broadband Solutions, Inc., to build and operate a radio-based, wireless internet and data communications system - Estimated Revenue: \$500,000 over 10 years

The city secretary announced that the city manager had deleted agenda item 47 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3210

Item 48: Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's control - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3211

- Item 49: Authorize twelve-month contracts with Dallas Arboretum and Botanical Society, Inc. (\$342,050) and Texas Discovery Gardens, Inc. (formerly the Dallas Horticulture Center) (\$88,645) to provide services and programs within the City of Dallas for the period October 1, 2002 through September 30, 2003  
- Total not to exceed \$430,695 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3212

Item 50: Authorize a five-year public/private partnership between the City of Dallas, Deep Ellum Association, Deep Ellum Foundation, and Dallas CBD Enterprises, Inc. for development and ongoing maintenance of an off-leash site for pets in the downtown area - \$140,000 - Financing: Private Funds (\$87,000), In-Kind Contributions (\$35,000), and Current Funds (\$18,000) (subject to annual appropriations)

Councilmember Finkelman requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, agenda item 50 was brought up for consideration.

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

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill.

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." (Rasansky abstain)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3213

Item 51: Authorize the application for and acceptance of the 2002-03 Intersection Traffic Control Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$490,925, and execution of the grant agreement - \$816,797 - Financing: Texas Department of Transportation Grant Funds (\$325,872), Current Funds (\$313,076) and In-Kind Contributions (\$177,849)

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

Later in the meeting, agenda item 51 was brought up for consideration.

Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3214

Item 52: Authorize the application for and acceptance of the 2002-03 Safe and Sober Selective Traffic Enforcement Program grant for traffic related activities from the Texas Department of Transportation for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$164,732 and execution of the grant agreement - \$764,732 - Financing: Texas Department of Transportation Grant Funds (\$600,000) and Current Funds (\$164,732)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3215

Item 53: Authorize the application for and acceptance of the 2002-03 Speed Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$444,573, and execution of the grant agreement - \$645,415 - Financing: Texas Department of Transportation Grant Funds (\$200,842), Current Funds (\$310,438) and In-Kind Contributions (\$134,135)

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.

Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3216

Item 54: Authorize the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a seat belt enforcement initiative, for the period October 1, 2002 through December 31, 2002, a City contribution of pension and Federal Insurance Contributions Act costs of \$9,282 and execution of the grant agreement - \$42,172 - Financing: Current Funds (\$9,282) and Texas Department of Transportation Grant Funds (\$32,890)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3217

Item 55: Authorize the acceptance of the Sexual Assault/Stalking/2 Training grant from the Office of the Governor, Criminal Justice Division in the amount of \$22,399, for the period December 1, 2002 through August 31, 2003, to provide specialized training to detectives who investigate sexual assault and stalking offenses, a local match in the amount of \$7,899, and execution of the grant agreement - \$30,298 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$22,399) and Current Funds (\$7,899)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3218

Item 56: Authorize the acceptance of the Investigations of Violations of Emergency Protective Orders grant from the Office of the Governor, Criminal Justice Division in the amount of \$60,000 to investigate and respond to Emergency Protective Orders granted to victims of domestic violence, for the period December 1, 2002 through August 31, 2003, a local match in the amount of \$50,247, and execution of the grant agreement - \$110,247 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$60,000) and Current Funds (\$50,247)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3219

Item 57: Authorize renewal of the Interlocal Agreement with the Drug Enforcement Administration and the Texas Department of Public Safety to access the Texas Narcotics Information System database to perform drug trafficker investigations for the period January 1, 2003 through December 31, 2003 - Not to exceed \$3,500 - Financing: Confiscated Monies Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3220

Item 58: Authorize a personal services contract with Ron Cearley for oversight and improvements in operations at the McCommas Bluff Landfill Heavy Equipment Maintenance Shop - Not to exceed \$54,120 - Financing: Current Funds

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

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

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

November 13, 2002

02-3221

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 59-72, was presented.

Agenda items 59, 62, 65, 67, 69 and 72 was removed from the consent zoning docket, to be considered as individual hearings.

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

<del>Agenda item 59: Zoning Case Z001-229 (EB/WE)</del>	<b>[considered individually]</b>
Agenda item 60: Zoning Case Z012-226 (JC/MF)	
Agenda item 61: Zoning Case Z012-256 (MF)	
<del>Agenda item 62: Zoning Case Z012-259 (RB)</del>	<b>[considered individually]</b>
Agenda item 63: Zoning Case Z012-261 (WE)	
Agenda item 64: Zoning Case Z012-262 (WE)	
<del>Agenda item 65: Zoning Case Z012-265 (RB)</del>	<b>[considered individually]</b>
Agenda item 66: Zoning Case Z012-272 (MF)	
<del>Agenda item 67: Zoning Case Z012-276 (FD)</del>	<b>[considered individually]</b>
Agenda item 68: Zoning Case Z012-278 (JA)	
<del>Agenda item 69: Zoning Case Z012-285 (WE)</del>	<b>[considered individually]</b>
Agenda item 70: Zoning Case Z012-286 (MF)	
Agenda item 71: Zoning Case Z012-288 (MF)	
<del>Agenda item 72: Zoning Case Z012-292 (WE)</del>	<b>[considered individually]</b>

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

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

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

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3222

Item 59: Zoning Case Z001-229 (EB/WE)

Sherrell Cockrell, director of planning, requested that consent zoning docket item 59 be removed from the consent zoning docket, to be called as an individual hearing, because in accordance with subparagraph (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable of three-fourths of all members of the council in that a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 fee of the area of the request, and the protest had been filed with the director of planning.

Mayor Miller stated that consent zoning docket item 59 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

Later in the meeting, zoning case Z001-229 (EB/WE) was brought up for consideration.

A public hearing was called on consent zoning docket item 59, zoning case Z001-229 (EB/WE), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a Dry Overlay on the north side of South Beltline Road, west of U.S. Highway 175.

(The city plan commission recommended approval, with retention of the D-1 Dry Overlay.)

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

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.

Assigned ORDINANCE NO. 25099.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3223

Item 60: Zoning Case Z012-226 (JC/MF)

Zoning Case Z012-226 (JC/MF), an application for and a resolution terminating that portion of the deed restrictions limiting height and density on property zoned an MU-3 Mixed Use District located on the west side of Vantage Point Drive, northwest of Greenville Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3224

Item 61: Zoning Case Z012-256 (MF)

Zoning Case Z012-256 (MF), 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 dance hall, on property zoned a Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, located at Grand Avenue and Meadow Street, east corner.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25100.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3225

Item 62: Zoning Case Z012-259 (RB)

The consent zoning docket, consisting of agenda items 59-72, was presented

Councilmember Finkelman requested that consent zoning docket item 62 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 62 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, zoning docket item 62 was brought up for consideration.

A public hearing was called on consent zoning case Z012-259 (RB), an application for and an ordinance granting a Planned Development District for a Public school and TH-2(A) Townhouse District Uses on property zoned an MF-1(A) Multifamily District on the northeast corner of Maham Road and Midpark Road.

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

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

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 25101.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3226

Item 63: Zoning Case Z012-261 (WE)

Zoning Case Z012-261 (WE), an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District, on the south side of Bernal Drive, between Weisenberger Drive and Peoria Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25102.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3227

Item 64: Zoning Case Z012-262 (WE)

Zoning Case Z012-262 (WE), an application for and an ordinance granting an R-5(A) Single Family District on property zoned an NS(A)-D Neighborhood Service District with a Dry Overlay, on the north side of Bernal Drive, between Weisenberger Drive and Hammerly Drive.

(The city plan commission recommended approval, with retention of the Dry Overlay.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25103.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3228

Item 65: Zoning Case Z012-265 (RB)

The consent zoning docket, consisting of agenda items 59-72, was presented.

Councilmember Chaney requested that consent zoning docket item 65 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 65 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, zoning docket 65 was brought up for consideration.

A public hearing was called on zoning case Z012-265 (RB), an application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the northwest corner of Illinois Avenue and Southern Oaks Boulevard.

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

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

Rev. Morris Robb, (no address given)  
Frank Banks, 2731 King Cole Cir.  
LeRoy Bouldin, 2734 Maceo Cir.

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

William Cothrum, 500 S. Ervay St., representing Southwest Housing  
Hazel Partee, 2833 Magna Vista Dr.  
Melvin Traylor, 2945 King Cole Cir.  
Mark Jones, 3435 Hacienda Dr.  
Sharon Middlebrooks, 2235 Narboe St.

Councilmember Chaney moved to close the public hearing, accept the recommendation of the city plan commission and bring the ordinance and the deed restriction instrument back at a later date.

Motion seconded by Councilmember Rasansky and unanimously adopted.



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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3229

Item 66: Zoning Case Z012-272 (MF)

Zoning Case Z012-272 (MF), an application for and an ordinance renewing Specific Use Permit No. 1111 for the sale and service of alcoholic beverages on property zoned a CS-D-1 Community Service District with a Dry-1 Overlay on C. F. Hawn Freeway (U.S. Highway 175), northwest of Woody Road, southwest side.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25104.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3230

Item 67: Zoning Case Z012-276 (FD)

The consent zoning docket, consisting of agenda items 59-72, was presented.

Councilmember Rasansky requested that consent zoning docket item 67 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 67 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket 67 was brought up for consideration.

A public hearing was called on zoning case Z012-276-(FD), an application for and an ordinance granting an amendment to Specific Use Permit No. 1262 for a Private School on property zoned an R-10(A) Single Family District on the northwest corner of Midway Road and Rosa 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.)

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

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

Susan Mead, 1445 Ross Ave., representing the applicant  
Pam Quarterman, 6464 E. Lovers Ln.

The following individual addressed the city council regarding zoning case Z012-276 (FD):

William Hopkins, 2011 Leath St.

Councilmember Rasansky 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

November 13, 2002

02-3231

Item 68: Zoning Case Z012-278 (JA)

Zoning Case Z012-278 (JA), an application for and an ordinance granting an Historic Overlay District for the Ahab Bowen House on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of Boll and Howland Streets.

(The city plan commission recommended approval.

Assigned ORDINANCE NO. 25105.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3232

Item 69: Zoning Case Z012-285 (WE)

The consent zoning docket, consisting of agenda items 59-27, was presented.

Councilmember Rasansky requested that consent zoning docket 69 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 69 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket 69 was brought up for consideration.

A public hearing was called on zoning case Z012-285 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1282 for a financial institution with drive thru on property zoned Planned Development District No. 314, the Preston Center Special Purpose District, on the south side of West Northwest Highway and east of North Dallas Tollway.

(The city plan commission recommended approval.)

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

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

Duncan Fulton 1808 Fairmount St., representing the applicant

The following individual addressed the city council regarding zoning case Z012-285 (WE):

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 25106.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3233

Item 70: Zoning Case Z012-286 (MF)

Zoning Case Z012-286 (MF), an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned Planned Development District No. 261 for Neighborhood Service District uses and an ordinance terminating Planned Development District No. 261 on the south corner of Henderson Avenue and Manett Street.

(The city plan commission recommended approval.

Assigned ORDINANCE NO. 25107.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3234

Item 71: Zoning Case Z012-288 (MF)

Zoning Case Z012-288 (MF), an application for and an ordinance granting an RR Regional Retail District on property zoned an IM Industrial Manufacturing District and an IR Industrial Research District with Specific Use Permit No. 98 for mining and an ordinance terminating Specific Use Permit No. 98 encompassing the request site on the southeast corner of the intersection of Chalk Hill Road and Interstate 30.

(The city plan commission recommended approval.)

Assigned ORDINANCE NO. 25108 and ORDINANCE NO. 25109.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3235

Item 72: Zoning Case Z012-292 (WE)

The consent zoning docket, consisting of agenda items 59-27, was presented.

Councilmember Greyson requested that consent zoning docket 72 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 72 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Greyson's request.

A public hearing was called on zoning case Z012-292 (WE), an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CH Clustered Housing District, on the southwest corner of Frank Jackson Drive and Ronnie Drive.

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

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

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

Felix Diaz, 7650 McCallum Blvd.

Councilmember Greyson 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 Walne and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3236

Item 73: Public Hearing - Zoning Case Z012-211 (MF)

A public hearing was called on an application for a Planned Development District for Mixed Uses on property zoned an MF-2(A) Multifamily District and an ordinance granting a Specific Use Permit for a Community Service Center use and a Child Care Facility, on the south side of Ross Avenue between Matilda Street and Hope Street.

(The city plan commission recommended denial of a Planned Development District and approval of a Specific Use Permit for a Community Service Center use and a Child Care Facility, subject to a site/landscape plan and conditions.

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

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

Gay Hopkins, 6030 Monticello Ave., representing Lower Greenville Neighborhood Association  
Maxine Aaronson, 3131 McKinney Ave.  
Kirk Williams, 5400 Renaissance Tower, representing the applicant, Interfaith Housing

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

"FLOOR AREA: The maximum floor area for the community service center is 4,200 square feet. The maximum floor areas for all uses combined is 7,597 square feet. The floor area of the community service center may not be increased unless additional parking is provided or a variance from the off-street parking requirements is obtained from the Board of Adjustment. A minimum of four dwelling units must be provided on the property at all times "and pass the ordinance.

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

Assigned ORDINANCE NO. 25110.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3237

Item 74: Public Hearing - Zoning Case Z012-212 (RB)

Zoning Case Z012-212 (RB), an application for and an ordinance granting a Specific Use Permit for Private streets on property zoned a TH-1(A) Townhouse District on the northwest corner of Preston Road and Keller Springs Road.

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

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 Z012-212 (RB):

William Hopkins, 2011 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 Deputy Mayor Pro Tem Loza and unanimously adopted. (Fantroy absent when vote taken)

Assigned ORDINANCE NO. 25111.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3238

Item 75: Public Hearing - Zoning Case Z012-229 (RB)

A public hearing was called on zoning case Z012-229 (RB), an application to amend the existing deed restrictions on property zoned an R-1ac(A) Single Family District with the FP Flood Plain designation and a TH-1(A) Townhouse District located on the northwest corner of Preston Road and Keller Springs Road.

(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 zoning case Z012-229 (RB):

William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3239

Item 76: Public Hearing - Zoning Case Z012-275 (WE)

Zoning Case Z012-275 (WE, an application for a CR Community Retail District and the removal of the Dry Overlay and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LO-1-D Limited Office-1 District with a Dry Overlay, on the south corner of Phillip Avenue and Graham Avenue.

(The city plan commission recommended approval, with retention of the Dry Overlay subject to deed restrictions volunteered by the applicant.)

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

Appearing in favor the city plan commission's recommendation:

Ramon Aranda, 2608 Squire Pl., representing the applicant

Deputy Mayor Pro Tem Loza 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. (Fantroy absent when vote taken)

Assigned ORDINANCE NO. 25112.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3240

Item 77: Public Hearing - Zoning Case Z012-277 (WE)

A public hearing was called on zoning case Z012-227 (WE), an application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an IR Industrial Research District on the southeast corner of the intersection of Exchange Service Drive and Joseph Hardin Drive.

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

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

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

Ester Davis, 2204 Millermore, representing the applicant  
Chris Cardenas, 424 Palmer Dr.

The following individual addressed the city council regarding zoning case Z012-277 (WE):

William Hopkins, 2011 Leath St.

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

“ A three year period, subject to a site plan and conditions, and with an automatic renewal of two years with a review” and pass the ordinance.

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

Assigned ORDINANCE NO. 25113.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3241

Item 78: Public Hearing - Zoning Case Z012-257 (MF)

A public hearing was called on zoning case Z012-257 (MF), an application for and a resolution amending deed restrictions on property zoned Planned Development District No. 469 for a private school located on Preston Road, north of Arapaho Road, east side.

(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 zoning case Z012-257 (MF):

William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3242

Item 79: Public Hearing - Zoning Case Z012-198 (RB)

A public hearing was called on zoning case Z012-198 (RB), a City Plan Commission authorized hearing to consider proper zoning with consideration being given to a Planned Development District for R-7.5(A) Single Family District Uses with specific consideration of minimum lot size and minimum building setbacks on an area generally bounded by Midway Road, properties on the north side of Bonham Street and properties on the south side of Sexton Lane, exclusive of the three westernmost lots on the south side of Sexton Lane and zoned an R-16(A) Single Family District and an ordinance granting a Planned Development District for R-16(A) Single Family District Uses.

(The city plan commission recommended approval of a Planned Development District for R-16(A) Single Family District uses.)

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

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

Terry Reece, 4335 Sexton Ave.

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

"Maximum non permeable coverage in a front yard is 40 percent" and pass the ordinance.

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

Assigned ORDINANCE NO. 25114.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3243

Item 80: Public Hearing - Zoning Case Z012-103 (NB)

A public hearing was called on zoning case Z012-103 (NB), a City Plan Commission authorized hearing to consider expanding the Bishop/Eighth Conservation District presently bounded by Seventh Street, Zang Blvd, Eighth Street, and Llewellyn Avenue, one block north to include various properties on the north and south side of West Davis Street from Llewellyn Ave to Elsbeth Avenue zoned a CS Commercial Service District, a LO-1-D Limited Office District with a Dry Overlay and Planned Development District No. 309 for Inside Industrial Manufacturing, Warehouse, and CS Commercial Service District uses and an ordinance granting expansion of the conservation district.

(The city plan commission recommended approval of the expansion of the conservation district.)

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

Amanda Moreno Cross, 647 Munson  
Morris Steinberg, 7317 Lakehurst Ave.  
Jaime Chapa, 647 Munson

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

Beverly Mendoza, 520 E. 5<sup>th</sup> St.  
Lenell Smith, 1005 Haynes  
Laura Estrada, 1339 Cedar Hill Ave.  
Dwayne Jones, (no address given)  
Earl Miller, 305 S. Edgefield Ave.

The following individual addressed the city council regarding zoning case Z012-103 (NB):

William Hopkins, 2011 Leath St.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
02-3243

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

- “1. Bus or Rail Transit Vehicle Maintenance or Storage Facility
2. Commercial Bus Station and Terminal
3. Lodging or Boarding House
4. Hotel or Motel
5. Restaurant with Drive-In or Drive-Through Service
6. Machinery, Heavy Equipment or Truck Sales and Service
7. Pawn Shop
8. Mini-Warehouse
9. Commercial Parking Lot or Garage
10. Commercial Amusement (Inside)
11. Manufactured Building Sales Lot
12. Bed and Breakfast
13. Vehicle Display, Sales and Service
14. Vehicle Storage Lot
15. Radio, Television or Microwave Tower and
16. Swap or Buy Shop” and pass the ordinance.

Motion seconded by Councilmembers Housewright and Oakley and unanimously adopted. (Fantroy absent when vote taken)

Assigned ORDINANCE NO. 25115.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3244

Item 81: Public Hearing - Zoning Case Z012-287 (JG)

A public hearing was called on zoning case Z012-287 (JG), a City Plan Commission authorized hearing to determine the proper zoning on property zoned an R-7.5(A) Single Family, R-7.5(A)-MD-1 Single Family Modified Delta District, and a CR-MD-1 Community Retail Modified Delta District and an ordinance approving the M-Streets Conservation District Conceptual Plan in compliance with Sec. 51A-4.505 of the Dallas City Code and granting a Conservation District on property generally bounded by McCommas Avenue, Greenville Avenue, Vanderbilt Street and Central Expressway (US-75) and including both sides of McCommas Avenue and Vanderbilt Street.

(The city plan commission recommended approval.)

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

T. Price Stone, 5618 Morningside Ave.  
Jaime Butler, 5441 Merrimac Ave.  
Leila Bach, 5411 Merrimac Ave.

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

Angela Hunt, 5306 Mercedes Ave.  
Dwayne Jones, 2922 Swiss Ave., representing Preservation Dallas  
Jay Wysong, 5530 Vanderbilt Ave.  
Danni Cortivic, (no address given)  
Steve Haas, 5427 Merrimac Ave.  
Julie Roland, 5626 Mercedes Ave.  
Jordan Schwitzer, 5626 Mercedes Ave.  
Lynn Parker, 5601 Morningside Ave.  
Earl Miller, 305 S. Edgefield Ave.  
Ken Lampton, (no address given)  
Bryant Karl, 5607 Mercedes Ave.  
Melissa Kingston, (no address given)

The following individual addressed the city council regarding zoning case Z012-287 (JG):

William Hopkins, 2011 Leath St.

Councilmember Poss 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. (Hill, Fantroy, Walne absent when vote taken)

Assigned ORDINANCE NO. 25116.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3245

Item 82: Public Hearing - Zoning Case Z012-215 (RB)

A public hearing was called on zoning case Z012-215 (RB), an application for a Planned Development District for CR Community Retail District Uses on property zoned an NS(A) Neighborhood Service District and an IR Industrial Research District on the southwest corner of Mockingbird Lane and Haggard Way.

(The city plan commission recommended denial.

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

Mary Almaguer, 7721 Mohawk Dr.  
Mary Fields, 5330 Emerson Ave.  
Segwen Tyler, 1816 Prairie View Dr.  
Tommy McGee, 7703 Robin Rd.  
John Wiley, Price, 411 Elm St.  
Eric Zorn, 2001 S. East 10<sup>th</sup> St. Bentonville, AK

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

Mike Luckcock, 6131 Bordeaux Ave., representing the Coalition  
Nancy Hart, 6405 Bordeaux Ave., representing the Coalition  
Ronnie Holman, 5409 Drane Dr., representing the Coalition  
Joyce Lockley, 4718 Wateka Dr., representing the Coalition  
Nancy Lloyd, 6488 Bordeaux Ave., representing the Coalition  
Art Rogers, 4523 Holland Ave., representing the Coalition  
Kristen Toney, 6373 Bordeaux Ave., representing the Coalition  
Ira Silver, 4601 Eaton Ct., Plano, representing Love Field Financial Center, LP  
Lori Palmer, 10255 County Rd., Terrell, representing the Coalition

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3246

Item 83: Public Hearing - Zoning Case Z012-149 (RB)

A public hearing was called on zoning case Z012-149 (RB), an application for and an ordinance granting an amendment to the development/landscape plan and conditions for Planned Development District No. 469 for a Private school to permit the addition of two lighted tennis courts on property at the east corner of Preston Road and the St. Louis & Southwestern Railroad.

(The city plan commission recommended approval subject to conditions and a revised development/landscape plan permitting requested lighting of the tennis courts. This item was considered by the City Council at a public hearing on June 12, 2002, and was taken under advisement with the public hearing open to allow the City Plan Commission to consider the termination of deed restrictions in a companion case, Z012-257, to be scheduled for City Council consideration on November 13, 2002.)

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

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

- “1. deletion of all provisions permitting tennis court lighting;
  2. a specific prohibition of tennis court lighting; and
  3. a requirement that the gates to the tennis courts be locked when the tennis courts are not being used for school purposes under school supervision; and
  4. 106 caliper inches of evergreen replacement trees must be planted on the property, with as many as possible being placed on the east side of the tennis courts.  
The placement of the replacement trees must be approved by the city arborist prior to the issuance of a building permit.
- (h) Landscaping.
- (1) Except as provided below, [Prior to the issuance of a building permit for a gymnasium,] landscaping must be provided as shown on the attached development/landscape plan. Plant material must be maintained in a healthy, growing condition.
  - (2) Prior to the final inspection for Court 1 and Court 2, landscaping consisting of evergreen materials that will obtain a solid appearance within three years must be installed along the west side of Court 1 and the entire north side of Court 1 and court 2, as shown on the attached development/landscape plan.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

- (3) 106 caliper inches of evergreen replacement trees must be planted on the property, with as many as possible being placed along the east side of the tennis courts.
- (i) Tennis court fencing, lighting, and security, and outdoor loudspeakers.
  - (1) ~~Lighting of Court 1 and Court 2 is permitted as shown on the attached development/landscape plan during evenings until 8:00 p.m., Monday through Friday, for the calendar period of September 1 through June 1, annually,~~ (2) Fencing around the perimeter of Court 1 and Court 2 is permitted any height, subject to the residential proximity slope regulations defined in Section 51A-4.412 of the Dallas Development Code.
  - (2) Tennis court lighting is prohibited.
  - (3) All gates to the tennis courts must be locked when the tennis courts are not being used for school purposes under school supervision.
  - (3) (4) Outdoor loudspeakers are prohibited.

and pass the ordinance.

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

Assigned ORDINANCE NO. 25117.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3247

Item 84: Public Hearing - Zoning Case Z012-225 (JC)

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. This item was considered by the City Council at a public hearing on October 23, 2002, and was taken under advisement until November 13, 2002, with the public hearing open.)

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

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

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

Assigned ORDINANCE NO. 25118.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3248

Item 85: Public Hearing - BENEFIT ASSESSMENT HEARING

A public hearing was called to receive comments on a benefit assessment hearing to receive citizens' comments on sidewalk paving improvements for Sidewalk Group 98-116, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Omega Contracting, Inc., lowest responsible bidder of eight - \$446,202 - Financing: Capital Assessments Funds (\$370,037), Water Utilities Capital Construction Funds (\$76,165)

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

Councilmember Finkelman moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

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

Assigned ORDINANCE NO. 25119.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3249

Item 86: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments and Council action 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.

No one addressed the city council regarding the proposed change of use and lease of approximately 3,280 square feet of park land.

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

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3250

Item 87: **City Center TIF District**

**Note:** Item Nos. 87 and 88  
must be considered collectively.

- \* A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to include 1530 and 1609 Main Street and 1506 and 1512 Commerce Street, modifications to the Plan and of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City

Item 88: \* An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to include 1530 and 1609 Main Street and 1506 and 1512 Commerce Street, modifications to the Plan and modifications of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City

No one addressed the city council regarding the City Center TIF District.

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

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted.  
(Housewright, Fantroy, Walne absent vote taken)

Assigned ORDINANCE NO. 25120.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3251

Item 89: 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 November 13, 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 Thornton Reese moved to appoint all the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2003.

Motion seconded by Councilmember Fantroy and unanimously adopted.

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

**02-3270            Board Officers**  
**02-3271    CPC    CITY PLAN AND ZOING COMMISSION**  
**02-3272    PAR    PARK AND RECREATION BOARD**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3252

Item 90: An ordinance authorizing the issuance and sale of \$11,195,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2002; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$79,640 - Financing: 2002 Equipment Acquisition Contractual Obligations - Interest Earnings

Councilmember Oakley moved to authorize the issuance and sale of \$11,195,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2002 to Coastal Securities, the lowest bidder.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

Assigned ORDINANCE NO. 25098.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3253

Item 91: 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

Councilmember Housewright moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3254

Item 92: 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 Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3255

Item 93: An ordinance abandoning a water easement and sanitary sewer easements to LL Property Partners, L.P., the abutting owner, containing a total of approximately 2,460 square feet of land located near the intersection of Lovers Lane and Bluffview Boulevard, providing for the dedication of new water and wastewater easements, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Councilmember Lill moved to defer the ordinance until the January 8, 2003 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3256

Addendum addition 1: A resolution establishing the annual salary of Jay Robinson, Administrative Municipal Judge for the City of Dallas Municipal Court of Record at \$105,000 effective as of October 9, 2002 - \$105,000 - Financing: Current Funds

Councilmember Chaney moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3257

Addendum addition 2: Authorize a professional services contract with Economists.com for expert services necessary to assist the City in negotiations and potential settlement of its \$3,300,000 in claims against The Hanover Insurance Company regarding two surety bonds issued by Hanover for the benefit of the City relating to the Western Integrated Networks of Texas Operating, L.P. franchise, and any other matters related to this controversy - Not to exceed \$50,000  
- Financing: Current Funds

Councilmember Poss moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3258

Addendum addition 3: 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

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3259

Addendum addition 4: Authorize (1) declaration of 3 tracts of City-owned land containing a total of approximately 33 acres located near the intersection of Sandy Lake Road and Stemmons Freeway unneeded and unwanted, (2) the conveyance to North Texas Tollway Authority of said 3 surplus tracts of land, 1 utility easement containing approximately 25,003 square feet of land and 2 temporary easements containing a total of approximately 2 acres of land, to be used for construction of Segment IV of the President George Bush Turnpike, (3) a right of entry agreement covering the 3 surplus tracts and the 3 easements, (4) a joint use agreement for the continued use of existing water lines and (5) acquisition from the North Texas Tollway Authority of approximately 74 acres located near the intersection of Sandy Lake Road and Stemmons Freeway as consideration for the conveyance of the 3 surplus tracts and 3 easements, for use as pre-sedimentation basins by Dallas Water Utilities - Financing: No cost consideration to the City

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3260

Addendum addition 5: Authorize preparation of plans for issuance of an amount not to exceed \$110,000,000 in General Obligation Refunding Bonds, Series 2003 - Financing: This action has no cost consideration to the City

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3261

Addendum addition 6: Authorize preparation of plans for issuance of an amount not to exceed \$275,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2003 - Financing: This action has no cost consideration to the City

Councilmember Oakley moved to approve the item with the following changes:

**Revised Subject:**

Authorize preparation of plans for issuance of an amount not to exceed \$325,000,000 in Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2003 – Financing: This action has no cost consideration to the City of Dallas

**Revised Section 1 of Resolution:**

**Section 1.** That the City Manager be and is hereby authorized to proceed with the necessary preparations for the sale of no more than \$325,000,000 Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2003 (the “Series 2003 Bonds”), with such sale to occur on a business day between January 6, 2003 and February 21, 2003

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3262

Addendum addition 7: Authorize an increase in the contract with Rebcon, Inc. for the construction of bridge lighting and retaining wall for South Central Addition Improvements, Phase I, Linfield Bridge over Union Pacific Railroad and Hull Avenue Connector - \$295,792, from \$3,348,030 to \$3,643,822 - Financing: 1998 Bond Funds

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3263

Addendum addition 8: Authorize (1) an increase in the interior finish-out contract with Constructors & Associates, Inc. to provide mechanical, electrical, plumbing and security revisions for the Jack Evans Police Headquarters in the amount of \$476,513, from \$13,069,140 to \$13,545,653, within the Guaranteed Maximum Price, and (2) an increase in the landscape contract with Constructors & Associates, Inc. to provide modifications to vehicular barricade devices and grading revisions to accommodate plant material requirements, in the amount of \$65,550, from \$1,986,100 to \$2,051,650, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3264

Addendum addition 9: Authorize the application for a grant in the approximate amount of \$300,000 with matching local funds from the Texas Water Development Board for the Reclaimed Water Implementation Study - Financing: This action has no cost consideration to the City

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3265

Addendum addition 10: Authorize the rejection of the September 5, 2002 letter of deal points from International Marketplace, Inc. to lease Shed No. 2 at the Dallas Farmers Market - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Fantroy, Walne absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3266

Addendum addition 11: An ordinance abandoning Oakshire Place and Rockhaven Place to Fath Oakshire Property Limited Partnership, Fath Forest Lane Limited Partnership, Fath Rockhaven Property Limited Partnership, and Dallas City Homes, Inc., the abutting owners, containing approximately 93,774 square feet of land located near the intersection with Forest Lane, and authorizing the quitclaim - Revenue: \$41,548 plus the \$20 ordinance publication fee

Councilmember Finkelman moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted. (Fantroy, Walne absent when vote take)

Assigned ORDINANCE NO. 25121.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3267

Addendum addition 12: Authorize a position reclassification in the Convention and Event Services Department for operations management at Reunion Arena - 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. (Fantroy, Walne absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3175

02-3176

Addendum addition 13: **Cityplace TIF District** **Note:** Item Nos. 13 and 14 must be considered collectively.

- \* Authorize (1) amendments to Resolution No. 96-3686 and the subsequent development agreement between the City of Dallas and Cityplace Company/Oak Creek Partners, LTD (hereinafter referred to as Oak Creek Partners), for the funding of a portion of the public improvements related to the design and construction of the Cityplace DART Light Rail Station in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District); (2) an increase in appropriations in an amount not to exceed \$776,873 in the Cityplace TIF District Fund; (3) receipt in the Cityplace TIF Fund of an advance from Oak Creek Partners in an amount not to exceed \$1,265,000; and (4) disbursement from the Cityplace TIF District Fund of an amount not to exceed \$4,276,873 to DART for the Cityplace TIF District Fund portion of the design and construction of the Cityplace DART Light Rail Station - Total not to exceed \$4,276,873 - Financing: Cityplace TIF District Funds (\$1,265,000 to be advanced by a private developer and reimbursed with interest from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Cityplace TIF District Fund and/or Tax Increment Bonds) [02-3268]

Addendum addition 14: \*

A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) to reimburse Oak Creek Partners for the funds advanced pursuant to the amended Resolution No. 96-3686 and the amended development agreement between the City of Dallas and Oak Creek Partners in an amount not to exceed \$1,265,000 plus interest, for a portion of certain public improvements related to the design and construction of the Cityplace DART Light Rail Station located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) - \$1,265,000 - Financing: To be advanced by a private developer and reimbursed from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Cityplace TIF District Fund and/or Tax Increment Bonds and or notes

No one addressed the city council regarding Cityplace TIF District.

Councilmember Lill moved to close the public hearing and approve the resolution.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 23, 2002

02-3270

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, NOVEMBER 13, 2002

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 13, 2002

02-3160

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

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

ABSENT: [0]

**CORRECTIONS**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3228

Item 65: Zoning Case Z012-265 (RB)

The consent zoning docket, consisting of agenda items 59-72, was presented.

Councilmember Chaney requested that consent zoning docket item 65 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 65 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting, zoning docket 65 was brought up for consideration.

A public hearing was called on zoning case Z012-265 (RB), an application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the northwest corner of Illinois Avenue and Southern Oaks Boulevard.

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

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

Rev. Morris Robb, (no address given)  
Frank Banks, 2731 King Cole Cir.  
LeRoy Bouldin, 2734 Maceo Cir.

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

William Cothrum, 500 S. Ervay St., representing Southwest Housing  
Hazel Partee, 2833 Magna Vista Dr.  
Melvin Traylor, 2945 King Cole Cir.  
Mark Jones, 3435 Hacienda Dr.  
Sharon Middlebrooks, 2235 Narboe St.

Councilmember Chaney moved to ~~close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.~~ bring the ordinance and deed restrictions back at a later date.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 13, 2002

02-3230

Item 67: Zoning Case Z012-276 (FD)

The consent zoning docket, consisting of agenda items 59-72, was presented.

Councilmember ~~Chaney~~ Rasansky requested that consent zoning docket item 67 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 67 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember ~~Chaney~~'s Rasansky's request.

Later in the meeting, zoning docket 67 was brought up for consideration.

A public hearing was called on zoning case Z012-276-(FD), an application for and an ordinance granting an amendment to Specific Use Permit No. 1262 for a Private School on property zoned an R-10(A) Single Family District on the northwest corner of Midway Road and Rosa 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.)

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

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

Susan Mead, 1445 Ross Ave., representing the applicant  
Pam Quarterman, 6464 E. Lovers Ln.

The following individual addressed the city council regarding zoning case Z012-276 (FD):

William Hopkins, 2011 Leath St.

Councilmember Rasansky 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

November 13, 2002

02-3246

Item 83: Public Hearing - Zoning Case Z012-149 (RB)

A public hearing was called on zoning case Z012-149 (RB), an application for and an ordinance granting an amendment to the development/landscape plan and conditions for Planned Development District No. 469 for a Private school to permit the addition of two lighted tennis courts on property at the east corner of Preston Road and the St. Louis & Southwestern Railroad.

(The city plan commission recommended approval subject to conditions and a revised development/landscape plan ~~remitting~~ permitting requested lighting of the tennis courts. This item was considered by the City Council at a public hearing on June 12, 2002, and was taken under advisement with the public hearing open to allow the City Plan Commission to consider the termination of deed restrictions in a companion case, Z012-257, to be scheduled for City Council consideration on November 13, 2002.)

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

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

- “1. deletion of all provisions permitting tennis court lighting;
2. a specific prohibition of tennis court lighting; and
3. a requirement that the gates to the tennis courts be locked when the tennis courts are not being used for school purposes under school supervision; and
4. 106 caliper inches of evergreen replacement trees must be planted on the property, with as many as possible being placed on the east side of the tennis courts.  
The placement of the replacement trees must be approved by the city arborist prior to the issuance of a building permit.

(h) Landscaping.

- (1) Except as provided below, [Prior to the issuance of a building permit for a gymnasium,] landscaping must be provided as shown on the attached development/landscape plan. Plant material must be maintained in a healthy, growing condition.
- (2) Prior to the final inspection for Court 1 and Court 2, landscaping consisting of evergreen materials that will obtain a solid appearance within three years must be installed along the west side of Court 1 and the entire north side of Court 1 and Court 2, as shown on the attached development/landscape plan.

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- (3) 106 caliper inches of evergreen replacement trees must be planted on the property, with as many as possible being placed along the east side of the tennis courts.
- (i) Tennis court fencing, lighting, and security, and outdoor loudspeakers.
  - (1) ~~Lighting of Court 1 and Court 2 is permitted as shown on the attached development/landscape plan during evenings until 8:00 p.m., Monday through Friday, for the calendar period of September 1 through June 1, annually,~~ (2) Fencing around the perimeter of Court 1 and Court 2 is permitted any height, subject to the residential proximity slope regulations defined in Section 51A-4.412 of the Dallas Development Code.
  - (2) Tennis court lighting is prohibited.
  - (3) All gates to the tennis courts must be locked when the tennis courts are not being used for school purposes under school supervision.
  - (3) (4) Outdoor loudspeakers are prohibited.

and pass the ordinance.

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