

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

02-3470

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 9:30 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 Marcus Lockhart, South Oak Cliff High School.

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 7:43 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3471

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: Roy Williams, 5881 Preston View Blvd.
REPRESENTING: Green Party
SUBJECT: Injustice for all/Cadillac Heights

SPEAKER: Ann Morgan, 11106 Snow White Dr.
SUBJECT: Being allowed to visit at Parkland Hospital

SPEAKER: Charles Stovall, 1200 W. Camp Wisdom Rd.
REPRESENTING: United Organization for Justice
SUBJECT: Public Safety

SPEAKER: Al Lipscomb, 830 Clearwood Dr.
REPRESENTING: United Coalition
SUBJECT: Information/Smoking ban

SPEAKER: Debra Forge, 1645 E. Red Bird. Ln.
SUBJECT: Police brutality

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Gwain Wooten, 5111 Holland Ave. **NAME NOT CALLED**
SUBJECT: Griggs Park

SPEAKER: James Hurd, 2817 Larkspur Ln. **NAME NOT CALLED**
SUBJECT: Police brutality

SPEAKER: Chuck Cole, 4831 McKinney Ave. **CANCELED**
REPRESENTING: Hola Restaurant
SUBJECT: Smoking

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Penny Anderly 8935 San Leandro Dr. **CANCELED**
REPRESENTING: People for Personal Choice
SUBJECT: Smoking ban

SPEAKER: Rhonda Nail, 5247 Willis Ave. **CANCELED**
REPRESENTING: Dallas Ite Club and Cafe
SUBJECT:

SPEAKER: Jerry Blake, 2807 Bachman Dr.
SUBJECT: Emperors' check book

SPEAKER: Robert Drennan, 2401 Knight St. **CANCELED**
SUBJECT: Cuts for civilian employees

SPEAKER: Billy MacLeon, 5225 Fleetwood Oaks Ave. **NAME NOT CALLED**
SUBJECT: Smoking ban

SPEAKER: Billy Jack Ludwig, 8550 Midpark Rd. **NAME NOT CALLED**
SUBJECT: Various subjects

SPEAKER: Bruce Hunter, 7418 Daingerfield Dr. **NAME NOT CALLED**
SUBJECT: Petition for peace and justice

SPEAKER: Katherine Lahey, 3432 Haynie (University Park)
REPRESENTING: Dallas Peace Center **NAME NOT CALLED**
SUBJECT: Anti-war sentiment in Iraq

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

SPEAKER: Albert Parker 9647 Oak Gate Ln. **NAME NOT CALLED**
SUBJECT: All agenda items

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: Dallas City Council, Dallas City Code Chapter 19, Sec. 19-83.4

SPEAKER: Jurline Hollins, 2832 Marjorie Ave,
SUBJECT: Linebarger, Goggan, Blair and Sampson

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **NAME NOT CALLED**
REPRESENTING: Malcolm X Blvd.
SUBJECT: Courage

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3472

Item 1: Approval of Minutes of the November 11, 2002 City Council Meeting

The following individuals addressed the city council regarding the approval of minutes, which was not relevant to the subject.

Randeep Valia, 902 Wayne St., representing Dallas Coalition Against the War.
Michael Machicek, 4415 Bowser Ave., representing North Texas Coalition for a Just Peace
Patricia Major, 5916 N. Jim Miller Rd.
Robyn Curts, 5916 N. Jim Miller Rd.
Hadi Jawad, 13109 Roanoke Rd., (West Lake), representing Dallas Coalition Against the War

Deputy Mayor Pro Tem Loza moved to approve the minutes, as corrected by Councilmember Greyson. On the consent agenda, consent item 37 and consent item 81 were due to typographical errors. On zoning case item 67, Councilmember Rasansky requested that consent zoning docket item 67 to be removed from the consent zoning docket instead of Councilmember Chaney, and on zoning case item 83, the word "remitting" should have been "permitting".

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3473

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-79 was presented for consideration.

The city secretary announced that the city manager had deleted consent agenda items 24, 25, 62 and 63 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that the city attorney had deleted consent agenda items 50 and 51 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Mayor Miller requested that consent agenda items 3, 4, 26, 27, 28, 45, 58, 59, 60 and 61 to be considered as individual items. Mayor Miller stated that consent agenda items 3, 4, 26, 27, 28, 45, 58, 59, 60 and 61 would be considered as individual items later in the meeting, there being no objection to her request.

Councilmember Rasansky requested that consent agenda items 22, 37, 38, 40, 42, 44, 45, 47, 67, 74 and 75 to be considered as individual items. Mayor Miller stated that consent agenda items 22, 37, 38, 40, 42, 44, 45, 47, 67, 74 and 75 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Lill requested that consent agenda items 56, 77 and 79 to be considered as individual items. Mayor Miller stated that consent agenda items 56, 77 and 79 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Lill's request.

Councilmember Greyson requested that consent agenda items 71 and 79 to be considered as individual items. Mayor Miller stated that consent agenda items 71 and 79 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Finkelman requested that consent agenda item 79 to be considered as an individual item. Mayor Miller stated that consent agenda item 79 would be considered as individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Walne moved to approve all items on the consent agenda items with the exception of consent agenda items 24, 25, 50, 51, 62 and 63 which were deleted and consent agenda items 3, 4, 22, 26, 27, 28, 37, 38, 40, 42, 44, 45, 47, 56, 58, 59, 60, 61, 67, 71, 74, 75, 77 and 79 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3474

Item 2: Authorize a professional services contract with Half Associates, Inc. for engineering design and preparation of contract documents for landfill levee and swale construction at the McCommas Bluff Landfill - Not to exceed \$860,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3475

Item 3: Authorize a professional services contract with Turner, Collie & Braden, Inc. to provide services for expansion of the East Side Water Treatment Plant transfer pumping capacity and a pipeline alignment study - \$12,804,000 - Financing: Water Utilities Capital Improvement Funds

Mayor Miller 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 her request.

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

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3476

Item 4: Authorize a professional services contract with Vidaud and Associates, Inc. to provide design services for the Central Wastewater Treatment Plant maintenance facility - \$619,717 - Financing: Water Utilities Capital Improvement Funds

Mayor Miller 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 her request.

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

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3477

Item 5: Authorize a contract for roof system replacement, including asbestos abatement at the Southeast Garage Complex located at 2761 Municipal Street - Seyforth Roofing Company, Inc., lowest responsible bidder of four - \$352,100 - Financing: General Capital Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3478

Item 6: Authorize a contract with David Hickman for the design, fabrication and installation of an original site-specific suspended light element for the two-story interior stairway of the Cedar Crest Golf Facility - Not to exceed \$25,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3479

Item 7: Authorize a contract for the construction of landscape and streetscape improvements on Market Street from Young Street to Elm Street - Integrated Roadway Services, Inc., lowest responsible bidder of six - \$1,035,128 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3480

Item 8: Authorize Supplemental Agreement No. 3 to the contract with Carter & Burgess, Inc. for design services for erosion control and wetland restoration for East White Rock Lake shoreline, playground development for T.P. Hill, and bridge replacement for West White Rock Lake Trail at White Rock Lake Park - \$42,468, from \$252,300 to \$294,768 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3481

Item 9: Authorize an increase in the contract with Meridian Commercial, Inc. for sitework, masonry, structural steel, mechanical, electrical, plumbing and interior work for the construction of the Trammell Crow Visitor Education Pavilion at the Dallas Arboretum - \$131,231, from \$10,798,006 to \$10,929,237 - Financing: Dallas Arboretum and Botanical Society Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3482

Item 10: Authorize Supplemental Agreement No. 1 to the contract with Dunkin, Sims, Stoffels, Inc. for design services for a pavilion, sidewalks and picnic tables at Maria Luna Park - \$17,567, from \$61,975 to \$79,542 - Financing: 2001-02 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3483

Item 11: Authorize Supplemental Agreement No. 1 to the contract with Carter and Burgess, Inc. for the Southport Improvements project at Bonnie View Road and Langdon Road to include the design of bridge and channel improvements on Bonnie View Road at Newton Creek - \$40,000, from \$618,090 to \$658,090 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3484

Item 12: Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for the concrete structural repairs of Ballroom A Lobby Wing at the Young Street facade for the Dallas Convention Center Unification project - \$60,000, from \$398,333 to \$458,333, 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

December 11, 2002

02-3485

Item 13: Authorize an increase in the contract with Manhattan Construction Company for construction changes related to structural, electrical, fire protection, and architectural work for the Dallas Convention Center Expansion and Renovation 2002 project - \$102,739, from \$97,002,303 to \$97,105,042, 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

December 11, 2002

02-3486

Item 14: Authorize Supplemental Agreement No. 6 to the contract with Austin Commercial, Inc. for the Convention Center Expansion and Renovation 2002 project to (1) transfer the contractor controlled insurance program safety incentive allowance balance of \$173,098 to the general conditions within the Guaranteed Maximum Price, and (2) provide portable exhibit hall fire exit doors, overhead coiling fire door, foundation pilot holes, roof truss Federal Aviation Administration lights access winch, elevator lobby sub-soil drainage system, relocation of trees, gas meters and telephone duct bank during construction of the Dallas Convention Center Expansion and Renovation 2002 and Unification projects in the amount of \$121,739, 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

December 11, 2002

02-3487

Item 15: Authorize an increase in the contract with Satterfield & Pontikes, Inc. for finish material upgrades and an enlargement of the loading dock at the Jack Evans Police Headquarters - \$163,736, from \$22,578,230 to \$22,741,966, 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

December 11, 2002

02-3488

02-3489

Item 16: **KATY TRAIL Extension**

Note: Item Nos. 16 and 17
must be considered collectively.

- * Authorize Supplemental Agreement No. 2 to the contract with Washington Infrastructure Services, Inc. to (1) decrease engineering services for bicycle and pedestrian enhancements for Phase III of the KATY Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Street just west of Skillman Street and from Lyte Street at North Houston Street to Levee Street at Manufacturing Street in an amount not to exceed (\$35,979), and (2) provide engineering services for bicycle and pedestrian enhancements for Phase IV of the KATY Trail extension from Skillman Street to White Rock Station in an amount not to exceed \$436,971 - Net amount not to exceed \$400,992, from \$328,190 to \$729,182 - Financing: 1998 Bond Funds (\$320,794 to be reimbursed by the Texas Department of Transportation)

Item 17: * Authorize an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations, and construction of bicycle and pedestrian enhancements for Phase IV of the KATY Trail extension from Skillman Street to White Rock Station - \$26,400 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3490

Item 18: Authorize Supplemental Agreement No. 1 to the professional services contract with Corpro Companies, Inc. to provide services for corrosion prevention design of White Rock North, Dallas-Fort Worth International Airport and Cedar Crest water transmission mains - \$199,828, from \$408,528 to \$608,356 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3491

Item 19: Authorize Supplemental Agreement No. 6 to the professional services contract with Freese and Nichols, Inc. to provide engineering services for inspection and improvements to Dallas Water Utilities dams - \$810,320, from \$720,413 to \$1,530,733 - Financing: Water Utilities Capital Construction Funds (\$203,026) and Water Utilities Capital Improvement Funds (\$607,294)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3492

Item 20: Authorize funding for the City of Dallas' local participation costs for the right-of-way and construction of Congestion Mitigation Air Quality intersection improvement projects - \$1,472,213 - Financing: 1995 Bond Funds (\$1,154,613), 1998 Bond Funds (\$317,600)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3493

- Item 21: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Linfield Road from Illinois Avenue to SH 310 - City's share will not exceed \$716,000 and will be required in a future bond program - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3494

Item 22: Authorize the rejection of bids for Exhibit Hall F roof truss lighting for the Dallas Convention Center Capital Improvement Program's Unification projects and the re-advertisement for new bids - Financing: No cost consideration for the City

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3495

Item 23: Authorize an Interlocal Agreement with the Town of Highland Park for the construction of paving improvements on Westside Drive from 140 feet north of Lorraine Avenue to Mockingbird Lane - \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3496

Item 24: **Cedars Station - South Side Pedestrian District** **Note:** Item Nos. 24 and 25 must be considered collectively.

- * Authorize a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation and Dallas Area Rapid Transit for design and construction of pedestrian and bicycle improvements in the Cedars Station - South Side Pedestrian District of the Land Use/Transportation Joint Venture (Sustainable Development) Program - \$500,000 - Financing: 1995 Bond Funds

Item 25: * Authorize a Participation Agreement with Matthews Southwest, Inc., for design and construction of pedestrian and bicycle improvements in the Cedars Station - South Side Pedestrian District of the Land Use/Transportation Joint Venture (Sustainable Development) Program - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3497
02-3498
02-3499

Item 26: **Urban Street Program**

Note: Item Nos. 26, 27, and 28 must be considered collectively.

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for the design and construction of paving improvements on Commerce Street from Industrial Boulevard to Central Expressway - \$16,364 - Financing: 1995 Bond Funds (to be reimbursed by Dallas County)

Item 27: * Authorize an Interlocal Agreement with the Texas Department of Transportation for the design and construction of paving improvements on Elm Street from Industrial Boulevard to Akard Street and Pearl Expressway to Hawkins Street - \$11,222 - Financing: 1995 Bond Funds (to be reimbursed by Dallas County)

Item 28: * Authorize an Interlocal Agreement with Dallas County for the design and construction of paving improvements on Commerce Street from Industrial Boulevard to Central Expressway and Elm Street from Industrial Boulevard to Akard Street and Pearl Expressway to Hawkins Street - Financing: No cost consideration to the City

Mayor Miller requested that consent agenda items 26, 27, and 28 be considered as individual items. Mayor Miller stated that consent agenda items 26, 27 and 28 would be considered as individual items later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda items 26, 27, and 28 were brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3500

Item 29: Authorize an Interlocal Agreement with the Texas Department of Transportation for the relocation of water and wastewater mains in Interstate Highway 20 from Bonnie View Road to Lancaster Road - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3501

Item 30: Authorize an increase in the Interlocal Agreement with Texas Department of Transportation for water improvements and appurtenance adjustments in Preston Road at Arapaho Road - \$2,452, from \$5,000 to \$7,452 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3502

Item 31: Authorize a second amendment to the lease with MultiRestaurants Management, Inc. of terminal building premises at Dallas Love Field that will reduce annual rent and amount of space leased by 4,764 square feet - Revenue: (\$27,155) annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3503

Item 32: Authorize a five-year lease with the Transportation Security Administration of approximately 4,764 square feet of unfinished space on the 4th floor of the terminal building and 2,407 square feet of counter office space in the main lobby at Dallas Love Field - Estimated Annual Revenue: \$55,244

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3504

Item 33: An ordinance abandoning Sorrell Street and adjacent alley rights-of-way to Christ for the Nations, Incorporated, the abutting owner, containing a total of approximately 17,569 square feet of land located near the intersection of Conway Street and Kiest Boulevard, and authorizing the quitclaim - Revenue: \$29,867 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25122.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3505

Item 34: Authorize the conveyance of a street easement containing approximately 1,114 square feet of land and a temporary working space easement containing approximately 1,163 square feet of land to the Town of Addison for the extension and construction of Arapaho Road across City-owned land in the Town of Addison located near the intersection of Belt Line and Addison Roads - Revenue: \$12,918

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3506

Item 35: An ordinance abandoning a utility easement and a portion of a sanitary sewer easement containing a total of approximately 26,183 square feet of land to Richardson Independent School District, the abutting owner, located near the intersection of Maham and Midpark Roads, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25123.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3507

Item 36: Authorize a twenty-four-month service contract for minor home repairs for low-income Dallas home owners with the lowest responsible bidder of six - IGA Enterprises - Not to exceed \$90,418 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3508

Item 37: Exercise the option to purchase two rear-mounted grapples, eight service bodies, and two 30,000-pound cranes under the same terms as previously awarded on December 13, 2000, by Resolution No. 00-3707 from the lowest responsible bidders of five - B & C Body Company and Kirby-Smith Machinery Co., Inc. (formerly Vermeer Equipment of Texas, Inc.) - Not to exceed \$263,156 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes

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 Rasansky's request.

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3509

Item 38: Exercise the option to purchase two 12,500-pound wheel loader backhoes under the same terms as previously awarded on December 12, 2001, by Resolution No. 01-3649 from the lowest responsible bidder of four - Landmark Equipment, Inc. - Not to exceed \$118,246 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes

Councilmember Rasansky requested that consent agenda item 38 be considered as an individual item. Mayor Miller stated that consent agenda item 38 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 38 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3510

Item 39: Authorize a thirty-six-month service contract for hydraulic cylinder, pump and valve repair for the City's fleet of refuse collection vehicles and fire trucks with the lowest responsible bidder of three - Stewart & Stevenson Services - Not to exceed \$787,182 - Financing: Current Funds (\$778,437) and Aviation Current Funds (\$8,745)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3511

Item 40: Authorize a twelve-month price agreement for automobiles, light trucks, vans and utility trucks with the lowest responsible bidders of twelve - Around the Clock Freightliner Group, Inc. dba Dallas Freightliner; Ford Country of Lewisville; Lawrence Marshall Ford LP; Metro Ford Truck Sales, Inc.; Red McCombs Dodge; S.D.W. Ent., Inc. dba Kawasaki City; Sonic-Lute Riley LP dba Lute Riley Honda; Southwest International Trucks, Inc. - Not to exceed \$15,303,420 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes (\$7,123,000) and Current Funds (\$8,180,420)

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3512

Item 41: Authorize a twelve-month price agreement for heavy equipment with the lowest responsible bidders of nine - Hertz Equipment Rental Corporation, Holt Texas LTD dba Holt Cat, Landmark Equipment Company, Inc., Romco Equipment Company - Not to exceed \$1,579,490 - Financing: 2001 Equipment Acquisition Contractual Obligation Notes (\$16,678) and 2002 Equipment Acquisition Contractual Obligation Notes (\$1,562,812)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3513

Item 42: Exercise the option to purchase 17 automated refuse bodies at the same terms as previously awarded on December 20, 2001 by Resolution No. 01-3646 from the lowest responsible bidder of ten - Heil of Texas - Not to exceed \$1,203,770 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes

Councilmember Rasansky requested that consent agenda item 42 be considered as an individual item. Mayor Miller stated that consent agenda item 42 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 42 was brought up for consideration.

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted on a divided voice with Councilmember Rasansky voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3514

Item 43: Exercise the option to purchase two six-cubic-yard wheel loaders at the same terms as previously awarded on August 28, 2002, by Resolution No. 02-2370 from the lowest responsible bidder of two - RDO Equipment Company - Not to exceed \$468,576 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3515

Item 44: Confirm the sale of one 1996 Volvo three-ton front loader, equipment number 963032, sold at public auction on November 12, 2002, to Moore Disposal, Inc. - Revenue: \$29,000

Councilmember Rasansky requested that consent agenda item 44 be considered as an individual item. Mayor Miller stated that consent agenda item 44 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 44 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3516

Item 45: Authorize a thirty-six-month service contract for the rental of a facility to be used to conduct assessment centers for Police and Fire with the lowest responsible bidder of three - Radisson Hotel Dallas - Not to exceed \$639,117 - Financing: Current Funds

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

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

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3517

Item 46: Authorize a thirty-six-month price agreement for submersible pumps with the lowest responsible bidders of thirteen - Act Pipe & Supply Co., Inc., EPG Companies, Inc., Godwin Pumps of America, Inc., Grainger Industrial Supply, Inc., ITT Flygt Corp., Master Pumps & Equipment Corp., North Texas Pump Co., Inc., Paco Pumps, Inc. and Pierce Pump Co., Inc. - Not to exceed \$776,529 - Financing: Water Utilities Current Funds (\$715,885), Current Funds (\$60,644)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3518

Item 47: Exercise the option to purchase two 15,000-pound wheel loader backhoes under the same terms as previously awarded on September 22, 1999, by Resolution No. 99-2988 from the lowest responsible bidder of three - RDO Equipment Company - Not to exceed \$167,702 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes

Councilmember Rasansky requested that consent agenda item 47 be considered as an individual item. Mayor Miller stated that consent agenda item 47 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 47 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3519

Item 48: Ratify emergency repairs for replacement of two rooftop heating and air conditioning units at the Lake Highlands Recreation Center - Gulf Energy Systems, Inc. - \$19,975 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3520

Item 49: Ratify emergency repairs to the controls on the heating, ventilation and air conditioning unit at the Bird and Reptile Building at the Dallas Zoo - Rockwall Controls Co., Inc. - \$22,300 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3521

Item 50: Authorize settlement of a lawsuit styled, *Catarino Morales, and Maria Morales, Individually, and As Next Friends of Celia Morales, Grasiela Morales, Francisco Javier Morales, Minors v. Wade T. Smith, Individually, and in his Official Capacity as a Dallas Police Officer, and the City of Dallas*, Cause No. DV00-06164-G - \$18,000 - Financing: Current Funds

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3522

Item 51: Authorize settlement of a lawsuit styled, Refugio Hernandez v. City of Dallas and Jennie Carver-Keeper, Cause No. 02-02399-C - \$6,000 - Financing: Current Funds

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

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

December 11, 2002

02-3523

Item 52: Authorize the acceptance of a Strategic Programming Initiative Clean Vehicle Grant from the Texas Department of Transportation to provide reimbursement to courtesy vehicle and shared ride companies that conduct business at Dallas Love Field for the incremental cost of purchasing compressed natural gas vehicles - Not to exceed \$700,000 - Financing: Texas Department of Transportation Clean Vehicle Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3524

Item 53: An ordinance amending Chapter 5 of the Dallas City Code to increase monthly charges paid to the City by fixed base operators selling aviation fuel at Dallas Love Field and Dallas Executive Airport - Estimated Annual Revenue: \$553,000

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25124.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3525

Item 54: Authorize an increase in ground rental rates from \$.20/sf/yr to \$.32/sf/yr for unimproved ground and \$.26/sf/yr to \$.46/sf/yr for improved ground at Dallas Love Field - Estimated Revenue: \$9,000,000 over a ten-year period

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3526

Item 55: Authorize the restructuring and an increase in parking rates for the long-term parking facility from \$5 per day to \$7 per day and the short-term parking facility from \$7 per day to \$10 per day, and add valet service effective on March 1, 2003 at Dallas Love Field - Estimated Annual Revenue: \$2,400,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3527

Item 56: Authorize Supplemental Agreement No. 3 to the contract with the Dallas Convention and Visitors Bureau for the promotion of the City of Dallas and the Dallas area as a location for the production of motion pictures and television films for the period October 1, 2002 through September 30, 2003 - \$30,000 - Financing: Convention and Event Services Current Funds

Councilmember Lill requested that consent agenda item 56 be considered as an individual item. Mayor Miller stated that consent agenda item 56 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

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

The following individuals addressed the city council regarding the Supplemental Agreement:

Hector Garcia, 3601 Turtle Creek Blvd.

Matt Wood, 719 Skillman St., representing Deep Ellum Film Festival/Deep Ellum Pictures

Tom Copeland, P.O. Box 13246 (Austin), representing Texas Film Commission

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3528

Item 57: Authorize re-adoption of the City of Dallas' *Public/Private Partnership Program Guidelines & Criteria for Non-Residential Projects*, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax code, Chapter 312), governing tax abatement agreements and other city incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3529

Item 58: Authorize the final of five payments in accordance with the economic grant agreement with the Big 12 Conference for the marketing and promotion of the City of Dallas as a center for Big 12 Conference sporting events, conferences and meetings to increase tourism and enhance economic growth from January 1, 2003 through December 31, 2003 - Not to exceed \$250,000 - Financing: Public Private/Partnership Funds

Mayor Miller 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 her request.

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

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Hill.

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

Mayor Miller declared the motion adopted, with Mayor Miller and Councilmember Rasansky voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3530

Item 59: Authorize a real property tax abatement agreement with Lowe's Home Centers, Inc. for the purpose of granting a ten-year abatement of 90% of the taxes on new real property value resulting from the development of a Lowe's retail center to be located within City of Dallas Enterprise Zone One at Pinnacle Park, Dallas, Texas - Revenue: First year real property tax revenue estimated at \$5,268; ten-year real property tax revenue estimated at \$52,680; estimated real property tax revenue foregone for ten-year abatement is \$474,120 - Financing: No cost consideration to the City

Mayor Miller requested that consent agenda item 59 be considered as an individual item. Mayor Miller stated that consent agenda item 59 would be considered as an individual item later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda item 59 was brought up or consideration.

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3531

Item 60: Authorize an amendment to Resolution No. 01-3352, previously approved on November 14, 2001, to reflect the assignment of the terms of the tax abatement from Unicom Investments LLC to Pinnacle West Land, L.P. and extend the date of substantial completion from December 31, 2002 to December 31, 2004 - Financing: No cost consideration to the City

Mayor Miller requested that consent agenda item 60 be considered as an individual item. Mayor Miller stated that consent agenda item 60 would be considered as an individual item later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda item 60 was brought up for consideration.

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3532

Item 61: Authorize an amendment to the tax abatement agreement with FR Development Services, Inc., previously approved on September 27, 2000, by Resolution No. 00-2940, to extend the date of substantial completion from December 31, 2002 to December 31, 2004 - Financing: No cost consideration to the City

Mayor Miller requested that consent agenda item 61 be considered as an individual item. Mayor Miller stated that consent agenda item 61 would be considered as an individual item later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda item 61 was brought up for consideration.

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3533

Item 62: **Oak Cliff Gateway TIF District**

Note: Item Nos. 62 and 63
must be considered collectively.

- * Authorize (1) a development agreement with Jefferson at Kessler Heights, Phase II, LP, (hereinafter Developer) to provide for the funding of design and construction of streetscape, intersection improvements, sidewalks, curb and gutter, distinctive street lighting and other certain public infrastructure improvements related to the development of Jefferson at Kessler Heights, Phase II located in Tax Increment Financing Reinvestment Zone Three, City of Dallas, Texas, (Oak Cliff Gateway TIF District), and (2) the establishment of appropriations in an amount not to exceed \$300,000 in the Oak Cliff Gateway TIF District Fund - \$300,000 - Financing: To be advanced or paid by Developer and reimbursed with interest from the Oak Cliff Gateway TIF Fund; to be paid upon completion of construction and issue of a certificate of occupancy, solely from the Oak Cliff Gateway TIF Fund [02-3530]

Item 63: * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) to reimburse Jefferson at Kessler Heights, Phase II, L. P. (hereinafter Developer) for funds advanced or paid for approved project costs, pursuant to a development agreement between the City and Developer in an amount not to exceed \$300,000 plus interest for design and construction of public infrastructure improvements related to the development of the Jefferson at Kessler Heights, Phase II located in Tax Increment Financing Reinvestment Zone Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) - Financing: \$300,000 to be advanced or paid by the Developer and reimbursed solely from the Oak Cliff Gateway TIF Fund; reimbursement to be repaid solely from the Oak Cliff Gateway TIF Fund when the project is completed, with accrued interest

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3534

Item 64: Authorize an amendment to the Neighborhood Renaissance Partnership Program Section 108 contract for loan guarantee assistance to change the final date for the draw down of funds for expenditure from December 31, 2002 to October 31, 2003 to accommodate completion of the Texas Theatre project and a modification to the loan documents between the Oak Cliff Foundation and the City regarding the Texas Theatre project to extend the completion date for the project until October 31, 2002 and provide for other matters relating thereto - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3535

Item 65: An ordinance granting an MF-1(A) Multifamily District and a resolution accepting deed restrictions volunteered by the applicant on property on the northwest corner of Illinois Avenue and Southern Oaks Boulevard Z012-265(RB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25125.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3536

Item 66: Authorize an Interlocal Agreement with Denton County, Texas for reimbursement of costs associated with ambulance and related services within Denton County from October 1, 2002 through September 30, 2003 - \$12,622 - Financing: Current Funds (to be fully reimbursed by Denton County)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3537

Item 67: Authorize a Request for Bids to purchase Intown Housing Section 108 Loans - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 67 be considered as an individual item. Mayor Miller stated that consent agenda item 67 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 67 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Oakley.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3538

Item 68: Authorize (1) adoption of the preliminary FY 2002-03 Community Development Block Grant Reprogramming Budget #2 in the amount of \$1,200,000 to establish a Minor Home Repair Program and (2) a public hearing to be held on January 8, 2003 to receive citizens' comments on the proposed use of funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3539

- Item 69: Authorize an amendment to the Program Statement for the Lot Acquisition Pilot Program previously approved by Resolution No. 02-0849 on February 27, 2002 to: (1) rescind the requirement for a financial/lending institution to serve as a depository of City funds for the establishment of revolving lines-of-credit for Community Housing Development Organizations (CHDOs); and (2) provide forgivable lot acquisition loans to CHDOs, in conjunction with Lot Acquisition loans from lending institutions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3540

Item 70: Authorize the reconstruction on-site of two homes in accordance with the Home Repair Program Statement requirements for the properties located at 605 N. Moore Street and 2551 Starks Avenue - Not to exceed \$55,000 each for a total not to exceed \$110,000 - Financing 2000-01 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3541

Item 71: Authorize the City of Dallas Housing Finance Corporation to make an exception to the current program policy guidelines to allow for the financing of the new construction of multifamily units for low and moderate income families for the Southern Oaks Apartments Project and to issue Multifamily Mortgage Revenue Bonds, Series 2002, for the land acquisition and new construction of the 256-unit Southern Oaks Apartments to be located at 3303 Southern Oaks Blvd., Dallas, Texas in a face amount not to exceed \$15,000,000 in tax-exempt bonds for the benefit of Southern Oaks Housing, L.P. a Texas Limited Partnership whose General Partner will be an entity owned by Brian Potashnik - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 71 be considered as an individual item. Mayor Miller stated that consent agenda item 71 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 71 was brought up for consideration.

Councilmember Chaney 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 Greyson voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3542

Item 72: Authorize (1) a public hearing to be held on January 8, 2003 to receive citizens' comments on the proposed private sale by quitclaim deed of 8 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to qualified non-profit organizations and (2) consideration at the close of the public hearing of approval of the sale of those properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3543

Item 73: Authorize the acceptance of a grant from the Texas State Library and Archives Commission for improving access to public library resources and services for Dallas residents - \$144,177 - Financing: Loan Star Libraries Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3544

Item 74: Authorize a Resolution Amending Authorized Representatives to amend the list of representatives authorized to conduct transactions for the investment of City funds in the Texas Local Government Investment Pool (“texPool”) - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 74 be considered as an individual item. Mayor Miller stated that consent agenda item 74 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 74 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3545

Item 75: Authorize a three-year contract with two one-year renewal options for group basic term life, voluntary dependent life, and accidental death and dismemberment insurance coverage with the most advantageous proposer of six - Standard Insurance Company - Not to exceed \$2.20 per employee per month for group basic term life - Financing: Employee Benefits Current Funds

Councilmember Rasansky requested that consent agenda item 75 be considered as an individual item. Mayor Miller stated that consent agenda item 75 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 75 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3546

Item 76: Authorize a twelve-month contract with Dallas County Audubon Society, Inc., dba Audubon Dallas to provide services and programs within the City of Dallas for the period January 1, 2003 through December 31, 2003 - Not to exceed \$35,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3547

Item 77: Authorize a ten-year management agreement with Dallas County Audubon Society, Inc., dba Audubon Dallas to manage Escarpment Park beginning January 1, 2003 through December 31, 2012 - Financing: No cost consideration to the City

Councilmember Lill requested that consent agenda item 77 be considered as an individual item. Mayor Miller stated that consent agenda item 77 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 77 was brought up for consideration.

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3548

Item 78: Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin for FY 2002-03 - \$71,285 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3549

Item 79: Authorize renewal of the professional services contract with Tuerff-Davis EnviroMedia, Inc. for furtherance of the advertising campaign promotion and media placement for reinforcement of water conservation initiatives previously approved by Ordinance No. 24745 on September 26, 2001 - \$1,100,000 - Financing: Water Utilities Current Funds

Councilmembers Finkelman, Greyson, and Lill requested that consent agenda item 79 be considered as an individual item. Mayor Miller stated that consent agenda item 79 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman, Greyson, and Lill's request.

Later in the meeting, agenda item 79 was brought up for consideration.

Councilmember Poss moved to defer the item indefinitely.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3550

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 80-86, was presented.

Agenda items 82 and 85 were removed from the consent zoning docket, to be considered as individual hearings.

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

Agenda item 80: Zoning Case Z012-254 (MF)	[Deleted]
Agenda item 81: Zoning Case Z012-264 (MF)	
Agenda item 82: Zoning Case Z012-270 (WE)	[Considered individually]
Agenda item 83: Zoning Case Z012-296 (WE)	
Agenda item 84: Zoning Case Z012-297 (WE)	
Agenda item 85: Zoning Case Z012-298 (MF)	[Considered individually]
Agenda item 86: Zoning Case Z023-107 (WE)	

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

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

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

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3551

Item 80: Zoning Case Z012-254 (MF)

Zoning Case Z012-254 (MF), an application for and an ordinance granting a Planned Development District for a Private School and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 1076 for a Private School and an ordinance terminating Specific Use Permit No. 1076, on the northeast side of Harter Road, northwest of Lake Highlands Drive.

(The city plan commission recommended approval.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3552

Item 81: Zoning Case Z012-264 (MF)

Zoning Case Z012-264 (MF), an application for and an ordinance granting a Specific Use Permit for a Government Installation Other Than Listed, on property zoned an LO-1 Limited Office District and a P(A) Parking District, on the southeast corner of Northwest Highway and Solta Drive.

(The city plan commission recommended approval.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25126.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3553

Item 82: Zoning Case Z012-270 (WE)

Councilmember Fantroy requested that consent zoning docket item 82 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 82 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

Later in the meeting, zoning docket item 82 was brought up for consideration.

A public hearing was called on zoning case Z012-270 (WE), an application for and an ordinance granting a CS Commercial Service District on the northern 2.0 acres and an R-10(A) Single Family District on the southern 1.36 acres of land on property zoned a CR-D-1 Community Retail Dry District and an MF-1(A) Multifamily District, on the southwest side of Seagoville Road at Interstate Highway 20.

(The city plan commission recommended denial of a CS Commercial Service District and approval of a CR Community Retail District with retention of the D-1 Dry Overlay fronting the south side of Seagoville Road and an R-10(A) Single Family District.)

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, to approve subject to deed restrictions volunteered by the applicant, with the ordinance and resolution to return at a later date.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3554

Item 83: Zoning Case Z012-296 (WE)

Zoning Case Z012-296 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 1132 to allow for the expansion of the Henry Wade Juvenile Justice Center on property zoned an IR Industrial Research District and Special Use Permit 98 for Mining at the southeast corner of Lone Star Drive and Terre Colony Court.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25127.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3555

Item 84: Zoning Case Z012-297 (WE)

Zoning Case Z012-297 (WE), an application for an R-5(A) Single Family District on property zoned an R-10(A) Single Family District and an ordinance granting an R-7.5(A) Single Family District, on the west side of Cockrell Hill Road, north of Kiest Boulevard, and fronting on the north side of Kiest Boulevard, west of Cockrell Hill Road.

(The city plan commission recommended approval of an R-7.5(A) Single Family District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25128.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3556

Item 85: Zoning Case Z012-298 (MF)

Councilmember Walne requested that consent zoning docket item 85 be removed from the consent zoning docket to be called an individual hearing. Mayor Miller stated that consent zoning docket item 85 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Walne's request.

Later in the meeting, zoning docket item 85 was brought up for consideration.

A public hearing was called on zoning case Z012-298 (MF), an application for and an ordinance granting a Specific Use Permit for a mini-warehouse on property zoned an MU-3 Mixed Use District on the east side of North Central Expressway north of Forest Lane.

(The city plan commission recommended approval.)

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

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

Art Anderson, 5400 Renaissance Tower, 1201 Elm St., representing the applicant

Councilmember Walne moved to close the public hearing, overrule the recommendation of the city plan commission and deny the application without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3557

Item 86: Zoning Case Z023-107 (WE)

Zoning Case Z023-107 (WE), an application for and an ordinance granting an amendment to Planned Development District No. 618 for TH-3(A) Townhouse District uses and a public school on the east side of Audelia Road south of Walnut Street.

(The city plan commission recommended approval.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25129 .

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3558

Item 87: Public Hearing - Zoning Case Z012-294 (MF)

Sherrell Cockrell, director of planning, requested that consent zoning docket item 87 be removed from the consent zoning docket, to be called as an individual hearing, because in accordance with subparagraph (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that a written protest against the change in zoning has been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest has been filed with the director of planning.

Mayor Miller stated that consent zoning docket 87 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z012-294 (MF), an application to amend Tract III for R-5 Single Family District and Duplex District uses within Planned Development District No. 67 for Single Family, Duplex and Neighborhood Service District uses to allow off-site parking on property located on the west side of Victoria Street, south of Thedford Street.

(The city plan commission recommended denial.

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

Lloyd Hall, 4708 Ervin Ave., presenting St. Luke Missionary Baptist Church
A.K. Haynes, (no address given)
David Caston, Sr., 401 Canary Ln, Desoto
Dwight Bookout, 4703 W. University Blvd.
Vera Reece, (no address given)
Maple Manson, 6626 Victoria Ave.
Bill Beeman, 6629 Victoria Ave.
Mavis Love, 6615 Victoria Ave.

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

Councilmember Lill moved to postpone the application until the January 8, 2003 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3559

Item 88: Public Hearing - Zoning Case Z012-305 (MF)

A public hearing was called on zoning case Z012-305 (MF), an application for and a resolution accepting the termination of deed restrictions on property zoned an MU-3 Mixed Use District, an RR Regional Retail District and Planned Development District No. 607 for single family and retail uses generally bounded by Kirnwood Drive, Bainbridge Avenue and Interstate 20.

(The city plan commission recommended approval.)

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

Councilmember Fantroy moved to postpone the application until the January 22, 2003 voting agenda meeting of the city council and to continue the hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3560

Item 89: Public Hearing - Zoning Case Z012-244 (PC) - UNDER ADVISEMENT

Sherrell Cockrell, assistant director of planning reminded the city council that in accordance with subparagraphs (c)(2)(A) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission, and 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 feet of the area of the request, and the protest had been filed with the director of planning.

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

(The city plan commission recommended denial. This item was considered by the City Council at a public hearing on October 23, 2002, and was taken under advisement until December 11, 2002, with the public hearing open.)

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

Jonathan Graves, 2808 Fairmount St.

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

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

“(e) The building official shall not issue a building permit to authorize work on a multifamily use in this district before a building permit has been issued for construction of a least 10,000 square feet of floor area for classrooms and/or office space at the UNT-Dallas Campus property” and pass the ordinance.

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

Assigned ORDINANCE NO. 25130.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3561

Item 90: Public Hearing - Zoning Case Z012-276 (FD) - UNDER ADVISEMENT

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. This item was considered by the City Council at a public hearing on November 13, 2002, and was taken under advisement until December 11, 2002, with the public hearing open.)

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

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

Jonathan Vinson, 1444 Ross Ave., representing the applicant
Pam Quarterman, 3112 Southwestern Blvd.

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

William Hopkins, 2011 Leath St.

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

“Approval for a five year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions” and pass the ordinance.

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

Assigned ORDINANCE NO. 25131.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3562

Item 91: Public Hearing - Zoning Case Z012-193 (MF) - UNDER ADVISEMENT

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

(The city plan commission recommended denial. This item was considered by the City Council at a public hearing on September 25, and October 23, 2002, and was taken under advisement until December 11, 2002, with the public hearing open.)

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

William Cothrum, 500 S. Ervay St., representing the applicant
Richard Bowser, 4035 Travis St.
Jack Hancock, 2806 Reagan St.
Laura McDonald, 4122 Travis St.
Jerry Neisel, 4143 Travis St.
Tom Rorke, 4039 Cole Ave.

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

Bryant Glasier, 4231 Buena Vista St.
Michael Austray, 4141 Buena Vista St.
Patrick Hayes, 4141 Buena Vista St.
Marc Marrocio, 4141 Buena Vista St.

The following individual addressed the city council regarding Z012-193 (MF):

William Hopkins, 2011 Leath St.

Councilmember Lill moved to close the public hearing and overrule the recommendation of the city plan commission and follow the staff's recommendations of approval, subject to the site plan and deed restrictions volunteered by the applicant.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3563

Item 92: Public Hearing - Zoning Case Z012-292 (WE) - UNDER ADVISEMENT

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. This item was considered by the City Council at a public hearing on November 13, 2002, and was taken under advisement until December 11, 2002, with the public hearing open.)

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 subject to revised deed restrictions volunteered by the applicant with the ordinance and resolution to come back on the January 8, 2002 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3564

Item 93: Public Hearing - STREET NAME CHANGE

A public hearing was called on an application for and an ordinance granting a street name change for Fordyce Street between Irving Boulevard and Levee Street to Riveredge Drive.

(The city plan commission recommended approval.)

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

The following individual addressed the city council regarding the street name change:

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Garcia and unanimously adopted.

Assigned ORDINANCE NO. 25132.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3565

Item 94: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public hearing was called on consideration of and an ordinance granting an amendment to Chapter 51A of the Dallas City Code, as amended, to amend the parking regulations for multifamily uses in central area districts.

(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:

Barry Knight, 5400 Renaissance Tower, representing the applicant

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

William Hopkins, 2011 Leath St.

Councilmember Lill 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 absent when vote taken)

Assigned ORDINANCE NO. 25133.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3566

Item 95: Public Hearing - BENEFIT ASSESSMENT HEARING

A public hearing was called on a benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater main improvements for Street Group 98-436, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City.

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

The following individual addressed the city council regarding the benefit assessment hearing.

William Hopkins, 2011 Leath St.

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

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

Assigned ORDINANCE NO. 25134.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3567

Item 96: Public Hearing - BENEFIT ASSESSMENT HEARING

A public hearing was called on a benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater main improvements on Highland Road from Ferguson Road to Jim Miller Road, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: This action has no cost consideration to the City.

Appearing in opposition to the proposed improvements or the assessments:

Hal Johnson, 7802 Straits Dr., (Rowlett), representing Ferguson Road Initiative
Michelle Lim, 5151 N. Jim Miller Rd.

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

The following individual addressed the city council regarding the benefit assessment hearing.

William Hopkins, 2011 Leath St.

Councilmember Chaney moved to close the public hearing and pass the ordinance levying the assessments.

Motion seconded by Councilmember Poss and unanimously adopted.

Assigned ORDINANCE NO. 25135.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3568

Item 97: MISCELLANEOUS HEARING

A public hearing was called to authorize approval of the recommended plan for the proposed alignment of Cockrell Hill Road from IH 30 to Singleton Boulevard and La Reunion Boulevard from its current terminus west to a "T" intersection with the proposed alignment of Cockrell Hill Road - Financing: No cost consideration to the City

The following individuals addressed the city council regarding Singleton Boulevard and La Reunion Boulevard:

Barry Knight, 5400 Renaissance Tower
William Hopkins, 2011 Leath St.

Councilmember Garcia moved to close the public hearing and approve the alignment.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3569

02-3570

Item 98: 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 December 11, 2002.

The city secretary noted that the report indicated nominees and renominees for individual appointments cleared for council action that met all qualifications for service.

Councilmember Thornton Reese moved to appoint Carl Raines, as chair, to the Dallas Citizens Police Review Board.

Motion seconded by Councilmember Chaney.

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

Mayor Miller declared the motion adopted on a divided voice, with Councilmembers Garcia and Fantroy voting "No".

Councilmember Greyson moved to appoint Guymon Phillips, Dallas Member, to the Reinvestment Zone Five Board (City Center).

Motion seconded by Councilmember Rasansky and unanimously adopted.

Councilmember Fantroy 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 Walne and unanimously adopted.

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

02-3604		Officers
02-3605	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
02-3606	HSC	HUMAN SERVICES COMMISSION
02-3607	MLK	MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD
02-3608	PAR	PARK AND RECREATION BOARD
02-3609	RZ5	REINVESTMENT ZONE FIVE BOARD (CITY CENTER)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3571

Item 99: An ordinance authorizing the issuance and sale of an amount not to exceed \$325,000,000 City of Dallas, Texas Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2003; establishing parameters regarding the sale of the Bonds; approving the execution of a bond purchase agreement and an escrow agreement; and all other matters related thereto - Not to exceed \$588,000 - Financing: Water Utilities Current Funds

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Poss and unanimously adopted.

Assigned ORDINANCE NO. 25136

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3572

Item 100: An ordinance authorizing the issuance and sale of an amount not to exceed \$110,000,000 City of Dallas, Texas General Obligation Refunding Bonds, Series 2003; establishing parameters regarding the sale of the Bonds; approving the execution of a bond purchase agreement and an escrow agreement; and all other matters related thereto - Not to exceed \$304,450 - Financing: Debt Service Funds

Councilmember Oakley moved to pass the ordinance.

Motion seconded by Councilmember Chaney and unanimously adopted.

Assigned ORDINANCE NO. 25137.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3573

Item 101: Authorize a sixty-month service contract for the privatization of the City's two utility pay stations located at Martin Luther King Jr. Community Center and West Dallas Multipurpose Center with the only proposer - Cliff's Check Cashing Stores, Inc. - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3574

Item 102: 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, (3) establish appropriations in the amount of \$182,500 in the Capital Gift and Donation Fund and (4) Interlocal Agreements required for the acceptance of the funds- Total not to exceed \$365,000 - Financing: City Center TIF District Funds (\$182,500) and Capital Gift and Donations Funds (\$182,500)

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3575

Item 103: An ordinance abandoning a portion of a storm sewer easement to Centex Homes, the abutting owner, containing approximately 4,037 square feet of land located near the intersection of Buena Vista and North Haskell Avenues, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3576

Closed Session

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

- Legal issues regarding Dallas Police Department Park Police
- Catarino Morales and Maria Morales et al., v. City of Dallas, et al., Cause No. DV00-06164-G
- Refugio Hernandez v. City of Dallas and Jennie Carver-Keeper, Cause No. 02-02399-C

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

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

- Legal issues regarding Dallas Police Department Park Police
- Catarino Morales and Maria Morales et al., v. City of Dallas, et al., Cause No. DV00-06164-G
- Refugio Hernandez v. City of Dallas and Jennie Carver-Keeper, Cause No. 02-02399-C

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3610

ADDENDUM ADDITION AGENDA

The addendum addition agenda, consisting of agenda items 1-26, was presented for consideration.

Mayor Miller announced that after conferring with the city attorney, items on the addendum would be handled in the same manner as the consent agenda.

Mayor Pro Tem Hill moved to suspend the rule to allow all items on the addendum addition agenda to be approved with one vote of the city council.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

The city secretary announced that Councilmembers Poss, Walne and Greyson had deferred consideration of addendum addition 22 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Oakley requested that addendum addition item 1 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 1 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Oakley's request.

Councilmember Rasansky requested that addendum addition items 3, 5, 6, 7, 8, 15, 19 and 24 remain as individual items on the addendum addition agenda. Mayor Miller stated that addendum addition items 3, 5, 6, 7, 8, 15, 19 and 24 would remain as individual items on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Greyson requested that addendum addition items 4 and 18 remain as individual items on the addendum addition agenda. Mayor Miller stated that addendum addition 4 and 18 would remain as individual items on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Finkelman requested that addendum addition 11 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 11 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Mayor Pro Tem Hill requested that addendum addition 13 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 13 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Councilmember Garcia requested that addendum addition 20 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 20 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Deputy Mayor Pro Tem Loza moved to approve all the items on the addendum addition agenda with the exception of addendum items 1, 3, 4, 5, 6, 7, 8, 11, 13, 15, 18, 19, 20, and 24, which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3577

Addendum addition 1: An ordinance abandoning an alley to SDC Investments, L.P., the abutting owner, containing approximately 3,891 square feet of land located near the intersection of Harlandale and Morrell Avenues - Revenue: \$5,000 plus the \$20 ordinance publication fee

Councilmember Oakley requested that addendum addition item 1 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 1 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Oakley's request.

Later in the meeting, addendum addition 1 was brought up for consideration.

Councilmember Oakley moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25138.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3578

Addendum addition 2: An ordinance abandoning a portion of a waterline easement to MRL Construction, LP, the abutting owner, containing approximately 15,260 square feet of land located near the intersection of State Highway 352 and Pleasant Drive, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25139.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3579

Addendum addition 3: An ordinance abandoning portions of Austin Street to Belo Investment Corporation, the abutting owner, containing approximately 6,000 square feet of land located near the intersection of Austin and Jackson Streets, authorizing the quitclaim and providing for the dedication of approximately 6,000 square feet of land needed for Market Street right-of-way - Revenue: \$1,500 plus the \$20 ordinance publication fee

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

Later in the meeting addendum addition 3 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No".

Assigned ORDINANCE NO. 25140.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3580

Addendum addition 4: An ordinance granting a private license to CHPD-LP for the use of approximately 14,500 square feet of land to maintain an existing commercial parking lot and install a perimeter fence on a portion of West Commerce Street right-of-way near its intersection with Industrial Blvd. - Revenue: \$11,250 annually plus the \$20 ordinance publication fee

Councilmember Greyson requested that addendum addition item 4 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 4 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition 4 was brought up for consideration.

Councilmember Greyson moved to pass the ordinance.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

Assigned ORDINANCE NO. 25141.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3581

02-3582

Addendum addition 5: **City Center TIF District** **Note:** Item Nos. 5 and 6 must be considered collectively.

- * Authorize (1) a development agreement with 1600 Elm Street Partnership to provide for the funding of facade restoration and other improvements related to the redevelopment of 1600-1604 Elm Street (to be known as Blue Matrix), located in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$1,500,000; (2) funding for a fire access corridor for 1600-1604 Elm Street in an amount not to exceed \$400,000 and (3) the establishment of appropriations in the amount of \$1,500,000 in the City Center TIF District Fund - Total not to exceed \$1,900,000 - Financing: City Center TIF District Funds (\$400,000) (\$1,500,000 to be advanced by a private developer and reimbursed from City Center TIF District Funds) [02-3578]

Addendum addition 6: * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse 1600 Elm Street Partnership for funds advanced pursuant to a development agreement between the City and 1600-1604 Elm Street Partnership in an amount not to exceed \$1,500,000 plus interest, for facade restoration and certain public infrastructure improvements related to the redevelopment of 1600-1604 Elm Street, located in the City Center TIF District - \$1,500,000 - Financing: To be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from City Center TIF District Funds

Councilmember Rasansky requested that addendum addition items 5 and 6 remain as individual items on the addendum addition agenda. Mayor Miller stated that addendum addition items 5 and 6 would remain as individual items on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum additions 5 and 6 were brought up for consideration.

Councilmember Walne moved to approve the resolution.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3583

02-3584

Addendum addition 7: **City Center TIF District** **Note:** Item Nos. 7 and 8 must be considered collectively.

- * Authorize (1) a development agreement with Main Street Partners Funding, L.P. to provide for the funding of demolition and public use improvements related to the redevelopment of 1717 Main Street (Bank One Center) in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$250,000; (2) the establishment of appropriations in the amount of \$250,000 in the City Center TIF District Fund - Total not to exceed \$250,000 - Financing: To be advanced by a private developer and reimbursed from City Center TIF District Funds

Addendum addition 8: **City Center TIF District**

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse Main Street Partners Funding, L.P. for funds advanced pursuant to a development agreement between the City and Main Street Partners Funding, L.P. in an amount not to exceed \$250,000 plus interest, for demolition and public use improvements related to the redevelopment of 1717 Main Street (Bank One Center) in the City Center TIF District - \$250,000 - Financing: To be advanced by a private developer and reimbursed solely from City Center TIF District Fund; accrued interest on private funds to be repaid solely from City Center TIF District Funds

Councilmember Rasansky requested that addendum addition items 7 and 8 remain as individual items on the addendum addition agenda. Mayor Miller stated that addendum addition items 7 and would remain as individual items on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum additions 7 and 8 were brought up for consideration.

Councilmember Walne moved to approve the resolution.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3585

02-3586

Addendum addition 9: **City Center TIF District** **Note:** Item Nos. 9 and 10 must be considered collectively.

- * Authorize (1) a development agreement with GS Renaissance LP to provide for the funding of facade, demolition, streetscape and other authorized improvements related to the redevelopment of the Gulf States Building located at 1415 Main Street in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$3,200,000; and (2) the establishment of appropriations in the amount of \$3,200,000 in the City Center TIF District Fund - Total not to exceed \$3,200,000 - Financing: To be advanced by a private developer and reimbursed from City Center TIF District Funds

Addendum addition 10: * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse GS Renaissance LP for funds advanced pursuant to a development agreement between the City and GS Renaissance LP in an amount not to exceed \$3,200,000 plus interest, for facade improvements, demolition, streetscape and other authorized improvements related to the redevelopment of the Gulf States Building located at 1415 Main Street in the City Center TIF District - \$3,200,000 - Financing: To be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from City Center TIF District Funds

Deputy Mayor Pro Tem Loza moved to approve the resolution.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3587

Addendum addition 11: Authorize Supplemental Agreement No. 2 to the professional services contract with Hellmuth, Obata + Kassabaum, Inc., to (1) fund design and construction phasing changes and add funding for electrical and structural design for pedestrian light standards, and (2) increase appropriations in the amount of \$58,200 in the City Center TIF District Fund - \$58,200, from \$1,526,254 to \$1,584,454 - Financing: City Center TIF District Funds

Councilmember Finkelman requested that addendum addition item 11 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 11 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, addendum addition 11 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3588

Addendum addition 12: An ordinance amending Chapter 34 of the Dallas City Code to amend the calculation of overtime pay for non-exempt sworn employees of the Fire Department - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Loza moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25142.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3589

Addendum addition 13: Authorize (1) the Affordable Housing Cost Participation Program pursuant to the Program Statement and the City Center TIF District Plan for the Tax Increment Financing Reinvestment Zone No. Five, City of Dallas, Texas (City Center TIF District); (2) the acceptance of a transfer of appropriations in the amount of \$500,000 from the City Center TIF District Fund to fund the Affordable Housing Cost Participation Program; and (3) an amendment to the current Development Fee Rebate Program Statement to increase the fee rebate from \$1,500 to \$2,500 for the remaining funds for this program - \$500,000 - Financing: City Center TIF District Funds

Mayor Pro Tem Hill requested that addendum addition item 13 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 13 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Mayor Pro Tem Hill's request.

Later in the meeting, addendum addition 13 was brought up for consideration.

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3590

Addendum addition 14: Authorize a thirty-six-month contract for radio research data for WRR Municipal Radio to enable the station to acquire ratings information in order to increase audience and revenues - Arbitron Inc. - Sole Source - Not to exceed \$316,927 - Financing: WRR Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3591

Addendum addition 15: Authorize (1) rescinding the thirty-six-month price agreement with PNI Distribution, Inc. for fuel previously awarded on September 25, 2002, pursuant to Resolution No. 02-2641 and (2) a thirty-six-month price agreement for fuel with the lowest responsible bidders of five - Clarksville Oil and Gas Co. and Truman Arnold Companies - Not to exceed \$16,716,760 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition item 15 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition item 15 and would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition 15 was brought up for consideration.

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3592

Addendum addition 16: Authorize a contract for audio and visual equipment for the Jack Evans Police Headquarters facility - Audio Fidelity Communications Corporation, dba The Whitlock Group, lowest responsible bidder of six - \$586,908 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3593

Addendum addition 17: Authorize Supplemental Agreement No. 9 to the contract with Centex - 3D/I, a joint venture, (1) to increase the general conditions of the construction manager in the amount of \$192,072, within the Guaranteed Maximum Price, and (2) for additional construction management services associated with Leadership in Environment and Energy Design related upgrades for improved indoor air quality, reduction in energy consumption and purchase of landscape material from regional sources, increasing the Guaranteed Maximum Price for the Jack Evans Police Headquarters project in the amount of \$10,561, from \$53,888,348 to \$53,898,909 and the total contract amount from \$54,638,862 to \$54,649,432 - Total not to exceed \$10,561 - Financing: 1998 Bond Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3594

Addendum addition 18: Authorize Supplemental Agreement No. 2 to the professional services contract with Montgomery Watson Harza, Inc. for hydraulic improvements at the Central Wastewater Treatment Plant - \$303,900, from \$1,497,350 to \$1,801,250 - Financing: Water Utilities Capital Construction Funds

Councilmember Greyson requested that addendum addition item 18 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 18 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting addendum addition 18 was brought up for consideration.

Councilmember Greyson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3595

Addendum addition 19: Authorize a contract to provide property tax and sales tax forecasts for the City of Dallas with the only proposer - Fundamentals Group, Inc. dba Texas Perspectives, Inc. - Not to exceed \$41,000 - Financing: Current Funds

Councilmember Rasansky requested that addendum addition item 19 remain as individual item on the addendum addition agenda. Mayor Miller stated that addendum addition item 19 and would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition 19 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza.

Councilmember Poss moved to substitute for Councilmember Chaney's motion, a motion to table the item pending further recommendation from the city manager.

Motion seconded by Councilmember Thornton Reese.

After discussion, Mayor Miller called the vote on Councilmember Poss' substitute motion to table the item pending further recommendation from the city manager:

Voting Yes:	[8]	Miller, Garcia, Housewright, Thornton Reese, Oakley, Fantroy, Poss, Greyson
Voting No:	[6]	Hill, Loza, Chaney, Walne, Finkelman, Rasansky
Absent when vote taken:	[1]	Lill

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3596

Addendum addition 20: Authorize the purchase of three additional police mobile storefront vehicles from the lowest responsible bidder of two - Traylor Motor Homes, Inc. - Not to exceed \$870,870 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Councilmember Garcia requested that addendum addition item 20 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition 20 would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Garcia's request.

Later in the meeting addendum addition 20 was brought up for consideration.

Councilmember Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3597

Addendum addition 21: Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, P.C., for additional legal services necessary in the lawsuit styled Charles Miller, et al. v. City of Dallas, Cause No. 3:98-CV-2955-D, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$10,321, from \$15,000 to \$25,321 - Financing: Current Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Poss, Greyson, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3598

Addendum addition 22: An ordinance amending Chapter 41 of the Dallas City Code to define terms; to prohibit smoking in all eating establishments, in all building lobbies into which eating establishments open, and in certain city facilities, with certain defenses; to provide signage requirements; and to make certain nonsubstantive changes (via Mayor Miller)

The city secretary announced that Councilmember Greyson had deferred consideration of addendum addition 22 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

December 11, 2002

02-3599

Addendum addition 23: Authorize (1) a contract for landscaping and irrigation for the Nasher Sculpture Center with Valley Crest Landscape Development, only bidder, in an amount not to exceed \$510,192, within the development agreement, and assignment of the construction contract to The Nasher Foundation for construction management; and, (2) an increase in the contract with John Burns Construction Company of Texas to provide water and wastewater revisions in an amount not to exceed \$31,729, from \$154,010 to \$185,739, within the development agreement - Financing: No additional cost consideration to the City [02-3593]

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Poss, Greyson, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3600

Addendum addition 24: Authorize (1) a contract for the exterior restoration of the Hart Furniture Building, located at 1929-1933 Elm Street, with Harrison, Walker & Harper, LP, lowest responsible bidder of six, in an amount not to exceed \$1,082,474, (2) assignment of the construction contract to Elm Street Development for construction management, and (3) payment to Elm Street Development, LLC in an amount not to exceed \$136,516 for design, reimbursables and construction management - Total not to exceed \$1,218,990 - Financing: City Center TIF District Funds

Councilmember Rasansky requested that addendum addition item 24 remain as an individual item on the addendum addition agenda. Mayor Miller stated that addendum addition item 24 and would remain as an individual item on the addendum addition agenda and considered later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition 24 was brought up for consideration.

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3601

Addendum addition 25: Authorize Supplemental Agreement No. 2 to the contract with F & S Partners, Inc. for additional work associated with the re-roofing of the Dallas Convention Center dome and the installation of Exhibit Hall C skylights - \$27,231, from \$303,649 to \$330,880 - Financing: Convention Center Capital Construction Funds

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Poss, Greyson, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3602

Addendum addition 26: Authorize the release of demolition liens on 17 properties to resolve the outstanding issues involved in the lawsuit styled James v. City of Dallas, Civil Action No. 3:98-CV-0436-R, direct the City Manager to discontinue any effort to enforce these demolition liens or to collect the debts resulting from the demolition liens, and to ensure that all City records adequately reflect the cancellation of the debts - Financing: No cost consideration to the City

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Poss, Greyson, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 11, 2002

02-3603

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, DECEMBER 11, 2002

EXHIBIT C

1/13/03 2:33 PM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS