

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2003

03-1325

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 9:22 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 for a moment of silence.

The pledge of allegiance was led by the city council and the audience.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 6:04 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2003

EXHIBIT A

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2003

EXHIBIT B

6/26/03 11:13 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1326

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Albert Parker, P.O. Box 240
REPRESENTING: John Q. Public
SUBJECT: "History being made"

SPEAKER: Lawrence Plumlee, 4111 Highgrove Dr.
SUBJECT: West Nile Mosquito Control

SPEAKER: Roy Williams, 5881 Preston View Blvd.
REPRESENTING: Dallas County Green Party
SUBJECT: Cadillac Heights

SPEAKER: Mary Hasan, 3425 Hacienda Dr.,
SUBJECT: Fraud Hotline / City Attorney / Ethics

SPEAKER: Sarah Atkinson, 8148 Meadow Rd.
SUBJECT: Spraying for West Nile Virus (via tape recording)

ADDITIONAL OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Susan Finnell, 3905 Weeburn Dr. **CANCELLED**
SUBJECT: Mosquito issue

SPEAKER: Al Lipscomb, 830 Clearwood Dr.
SUBJECT: Ethics

SPEAKER: Lovie Lipscomb, 830 Clearwood Dr.
SUBJECT: Ethics

SPEAKER: Jim Neufeld, 1100 Cadiz St.
SUBJECT: Panhandling

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OPEN MICROPHONE – END OF MEETING:

SPEAKER: Chris Head, 9339 San Fernando Wy.
REPRESENTING: Texas Public Workers Association
SUBJECT: Budget / Jobs

SPEAKER: Campbell Read, 5839 Monticello St. **CANCELLED**
SUBJECT: Mosquito spraying

SPEAKER: Maridel Hoagland, 1500 Marilla St. **CANCELLED**
SUBJECT: Apartments / Spring Valley / Code Enforcement

SPEAKER: Penina Weiner, 11711 El-Hara Cir.
SUBJECT: WRR / Board appointees

SPEAKER: Munir Bhatti, 1707 San Jacinto St. **NO SHOW**
SUBJECT: Islamic Terrorism / Americans are living with eyes and ears closed

SPEAKER: Jack Borden, P.O. Box 191913 **CANCELLED**
SUBJECT: Election - May 3, 2003

SPEAKER: J.W. Leggio, 5944 Morningside Ave. **NO SHOW**
REPRESENTING: Music Community of Dallas at Large
SUBJECT: Bronco Bowl

SPEAKER: Juan Guerrero, 10554 Ferguson Rd.
REPRESENTING: Upper Ferguson Road Weed and Seed
SUBJECT: Ice cream cart vendors

SPEAKER: Sandra Crenshaw, 1431 Quartet St. **NO SHOW**
SUBJECT: Council member's illegal contributions – Unethical

SPEAKER: Richard Sheridan, 3022 Forest Ln.
SUBJECT: Severe Acute Respiratory Syndrome (SARS)

SPEAKER: Quin Mathews, 6808 Meadow Lake Cir.
SUBJECT: WRR

SPEAKER: Howard Hollins, 1514 Homeland St.
SUBJECT: Councilmember cursing towards his wife

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: Parameters

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Corruption: Mayor of Dallas / Election in District 6 / Homeowners
Association

SPEAKER: Jennifer Land, 3905 Weeburn Dr. **CANCELLED**
SUBJECT: Mosquito policy

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Recall of mayor/Plantation politics

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1327

Item 1: Approval of Minutes of the March 26, 2003 and April 9, 2003 City Council Meetings

The city secretary stated that the March 26, 2003 and April 9, 2003 minutes of the city council was ready for approval with the following corrections to the March 26, 2003 minutes by Councilmember Greyson: Agenda item 45, Councilmembers Housewright move to close the public hearing and approve the resolution. Agenda item 47, Councilmember Finkelman moved to close the public hearing and approved the permit. Addendum addition 7, Councilmember Finkelman moved to substitute for Mayor Pro Tem Hill's motion a motion to approve the item as presented with the April ~~25~~, 15, 2003 as the effective date. Councilmember Finkelman made corrections to the April 9, 2003 minutes: Councilmember Walne moved to approve all items on the consent agenda with the exception of consent agenda items 6, 11, 15, 17, 19, 21, 23, 27, 30, 35, addendum additions 5, 6, and 8 which would be considered later in the meeting. Agenda item 15, Councilmember Walne requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember ~~Rasansky's~~ Walne's request. Agenda item 21, Councilmember Chaney moved to purchase one ~~kiosks machine~~ water bill payment machine (kiosk) or return the item to the Municipal and Minority affairs Commission for further study. Addendum item 18, Councilmember Rasansky moved to pass amendments #2, #3, and #4. ~~and amendment #3~~ He further stated to amend #3 to show that all ethics complaints be distributed to all parties within 10 days.

Councilmember Finkelman moved to approve the March 26, 2003 and April 9, 2003 minutes as corrected.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1328

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-59 and addendum addition consent agenda items 1-4, was presented for consideration.

Councilmember Rasansky requested that consent agenda items 2, 28, 31, 32, 34, 36, 37, 38, 46 and 55 to be considered as individual items. Mayor Miller stated that consent agenda items 2, 28, 31, 32, 34, 36, 37, 38, 46 and 55 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman requested that consent agenda item 8 to be considered as individual items. Mayor Miller stated that consent agenda items 8 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Lill requested that consent agenda item 18 to be considered as individual items. Mayor Miller stated that consent agenda item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Councilmember Greyson requested that addendum addition 2 to be considered as an individual item. Mayor Miller stated that addendum addition 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Deputy Mayor Pro Tem Loza moved to approve all items on the consent agenda items 2, 8, 18, 28, 31, 32, 34, 36, 37, 38, 44, 46, 50, 55 and addendum addition item 2 which would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1329

Item 2: Authorize a professional services contract with Black & Veatch Corporation to provide engineering services to update the Water Distribution System Master Plan, assess the water system infrastructure and develop a hydraulic computer model of the water distribution system - \$5,452,000 - Financing: Water Utilities Capital Improvement Funds

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

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

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1330

Item 3: Authorize a contract for site improvements including playground replacement, walking path, shelter, site furnishings, landscaping, site demolition and irrigation at Arden Terrace Park - Henneberger Construction, Inc., lowest responsible bidder of four - \$146,633 - Financing: 1999-00 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1331

Item 4: Authorize a contract for playground replacement and park identification signage at Beckley-Saner, Glover, Lizzie Oliver and Tipton Parks - Hardscape Construction Specialties, Inc., lowest responsible bidder of four - \$281,921 - Financing: 1998 Bond Funds (\$13,350), 2000-01 Community Development Grant Funds (\$54,335), 2001-02 Community Development Grant Funds (\$152,790) and 2001-02 Community Development Reprogramming Grant Funds (\$61,446)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1332

Item 5: Authorize a contract for site improvements including construction of a walking trail, accessible parking area, installation of a shelter, site demolition and park identification signage at Bishop Flores Park - \$58,500 - J&J Sprinkler & Landscape, Inc., lowest responsible bidder of seven - Financing: 2000-01 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1333

Item 6: Authorize a contract for the construction of the Trinity River boat ramp, associated access road and parking area near Loop 12 at the Trinity River - Omega Contracting, Inc., lowest responsible bidder of seven - \$308,724 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1334

Item 7: Authorize a contract for the construction of barrier free ramp improvements (list attached) - VAS Engineering Construction Company, lowest responsible bidder of five - \$212,177 - Financing: Capital Assessments Funds (\$204,627), Water Utilities Capital Construction Funds (\$7,550)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1335

Item 8: Authorize a contract for the construction of streetscape improvements on Akard Street from Young Street to Bryan Street (excluding Bell Plaza) for the City Center TIF District - Integrated Roadway Services, Inc., lowest responsible bidder of three - \$683,557 - Financing: City Center TIF District Funds

Councilmember Finkelman requested that consent agenda item 8 be considered as an individual item. Mayor Miller stated that consent agenda item 8 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, agenda item 8 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

MAY 14, 2003

03-1336

Dallas Convention Center

- Item 9. * Authorize a contract for chilled water system improvements - R. E. C. Industries, Inc., lowest responsible bidder of six - \$1,924,900 - Financing: Convention and Event Services Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1337

Dallas Convention Center.

Item 10: * Authorize a contract for theater improvements and arena switchgear replacement - Stillwell Building Systems, lowest responsible bidder of five - \$989,487 - Financing: Convention and Event Services Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1338

Item 11: Authorize a contract for the rehabilitation of existing wastewater mains and the construction of water and wastewater main replacements at various locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of five - \$3,771,531 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1339

Contract Amendments

- Item 12: Authorize Supplemental Agreement No. 2 to the professional services contract with Wendy Lopez and Associates, Inc. dba Lopez Garcia Group to provide surveying between the east and west bound Lemmon Avenue bridges at Hall Street Pond in Robert E. Lee Park within the Turtle Creek Parkway and environmental assessment services adjacent to the Turtle Creek Parkway within the Katy Trail corridor - \$17,594, from \$121,083 to \$138,677 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1340

Contract Amendments

Item 13: Authorize an increase in the contract with Jeske Construction Company for Street Group 98-431 for the construction of a new bridge on Coombs Creek at Ravinia Drive - \$297,624, from \$1,403,665 to \$1,701,289 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1341

Item 14: Authorize **(1)** a Participation Agreement with the Richardson Independent School District for the construction of a traffic signal at Audelia Road and Trevor Drive, **(2)** the receipt and deposit of funds from the Richardson Independent School District in an amount not to exceed \$130,000, and **(3)** an increase in appropriations in the amount of \$130,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$130,000 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1342

Item 15: Authorize **(1)** a Participation Agreement with Wal-Mart Stores Texas, L.P. for the construction of a traffic signal at Kirnwood Drive and Wheatland Road, **(2)** the receipt and deposit of funds from Wal-Mart Stores Texas, L.P. in an amount not to exceed \$130,000, and **(3)** an increase in appropriations in the amount of \$130,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$130,000 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1343

Item16: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements on Canada Drive from Mexicana Drive to Pluto Street; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on June 25, 2003, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1344

Item 17: Authorize settlement in lieu of proceeding further with condemnation of an easement owned by Laquita Fellers containing approximately 2 acres of vacant land for the Lake Fork Water Pipeline Project located near the intersection of Van Zandt County Roads 3707 and 3723 - \$18,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1345

Item 18: An ordinance abandoning an alley to Trustees for Lakewood United Methodist Church, the abutting owner, containing approximately 1,647 square feet of land located near the intersection of Lakeshore Drive and Abrams Road, providing for the dedication of a new easement and authorizing for the quitclaim - Revenue: \$18,200 plus the \$20 ordinance publication fee

Councilmember Lill requested that consent agenda item 18 be considered as an individual item. Mayor Miller stated that consent agenda item 18 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 18 was brought up for consideration.

The city secretary announced that Councilmember Lill had a conflict of interest and would abstain from participating in any discussion when the item appeared before the city council. Councilmember Lill left the city council chamber.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Lill abstain)

Assigned ORDINANCE NO. 25239.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1346

Item 19: An ordinance abandoning a portion of South Boulevard and a portion of Trunk Avenue to Dallas Area Rapid Transit, the abutting owner, containing approximately 27,127 square feet of land located near the intersection of South Boulevard and Fourth Avenue, and authorizing the quitclaim - Revenue: \$126,819 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25240.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1347

Item 20: An ordinance amending Ordinance No. 23630 granting a private license to The Federal Reserve Bank of Dallas to include additional land containing approximately 2,730 square feet for the installation and maintenance of bollards for security purposes on a portion of Maple-Routh Connection right-of-way located at its intersection with Leonard Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25241.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1348

Item 21: Authorize a sixty-month lease agreement with Crowe Texas Portfolio I, L.P. for approximately 3,024 square feet of office space for eight months and expand the space by 1,548 square feet for the remaining 52 months, increasing the leased premises to 4,572 square feet of office space, located in the Meadow Park Central IV Building, 10260 N. Central Expressway, Suite 210, to be used as a Women, Infants, and Children clinic for the period July 1, 2003 through June 30, 2004 (\$42,504) (two months free rent); July 1, 2004 through June 30, 2005 (\$66,294); July 1, 2005 through June 30, 2006 (\$68,580); July 1, 2006 through June 30, 2007 (\$70,866); July 1, 2007 through June 30, 2008 (\$73,152) - Total not to exceed \$321,396 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1349

Item 22: Authorize a twenty-four-month price agreement for lumber, sheetrock and plywood with the lowest responsible bidders of two - Slaughter Industries and Craddock Lumber - Not to exceed \$530,181 - Financing: Current Funds (\$374,717), Water Utilities Current Funds (\$99,833), Convention and Event Services Current Funds (\$28,251), Aviation Current Funds (\$23,475) and Texas Higher Education Coordinating Board Funds (\$3,905)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1350

Item 23: Authorize a thirty-six-month service contract for grounds maintenance at Pioneer Plaza with the lowest responsible bidder of seven - Good Earth, Inc. - Not to exceed \$82,397 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1351

Item 24: Authorize an increase in the contract with Verizon Network Integrated, Inc. to provide a continuation of internet access, security, and support for Citywide departments - \$163,654, from \$772,312 to \$935,966 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1352

Item 25: Authorize **(1)** the rejection of proposals received for the administration of minor home repairs, and **(2)** the re-advertisement for new proposals -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1353

Item 26: Authorize **(1)** rescinding the twenty-four-month service contract for home repairs with IGA Enterprises, previously authorized by Resolution No. 02-3507, on December 11, 2002, in the amount of \$90,418 and **(2)** a twenty-four-month service contract for home repairs with the lowest responsible bidder of six - Care Construction and Remodeling, Inc. - Not to exceed \$109,250 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1354

Item 27: Authorize the purchase of the Clint Grant Photographic Archive collection from Ronald Grant - Sole Source - Not to exceed \$100,000 - Financing: National Endowment for the Humanities Challenge Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1355

Item 28: Authorize **(1)** rescinding the sixty-month service contract with Penn Credit Corporation for collection of City accounts, previously authorized by Resolution No. 03-0166 on January 8, 2003, **(2)** the rejection of bids received for collection services, and **(3)** the readvertisement for new bids - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 28 be considered as an individual item. Mayor Miller stated that consent agenda item 28 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 28 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

MAY 14, 2003

03-1356

Item 29: Authorize a twenty-four-month price agreement for veterinary laboratory services with the only bidder - Antech Diagnostics - Not to exceed \$104,486 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1357

Item 30: Authorize the purchase of ammunition for the Dallas Police Department from the lowest responsible bidders of four - Precision Delta Corp., GT Distributors, Inc. and C&G Police Supply dba C&G Wholesale - Not to exceed \$230,693 - Financing: Law Enforcement Officers Standard Education Funds (\$125,062), Current Funds (\$65,131) and Texas Higher Education Coordinating Board Funds (\$40,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1358

Item 31: Authorize a twelve-month price agreement for solar powered school zone flashers with the lowest responsible bidder of six - RTC Manufacturing, Inc. - Not to exceed \$108,976 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 31 be considered as an individual item. Mayor Miller stated that consent agenda item 31 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 31 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

MAY 14, 2003

03-1359

Item 32: Authorize a thirty-six-month price agreement for traffic signal control equipment with the lowest responsible bidders of four - US Traffic Corp. and McCain Traffic Supply - Not to exceed \$481,168 - Financing: Current Funds

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1360

Item 33: Authorize a twenty-four-month price agreement for bulk cement with the lowest responsible bidder of two - Holcim (US) Inc. - Not to exceed \$290,550
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1361

Item 34: Authorize a twenty-four-month price agreement for the rental of heavy equipment for Water Utilities at the Southside Wastewater Treatment Plant with the lowest responsible bidders of eight - United Equipment Rentals Gulf, L.P., Bane Machinery, Inc. and Romco Equipment Co. - Not to exceed \$1,826,432 - Financing: Water Utilities Current Funds

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

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

Councilmember Fantroy moved to approve the item.

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 vote, with Councilmember Rasansky voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1362

Item 35: Authorize a thirty-six-month price agreement for tile pipe and fittings with the lowest responsible bidders of two - Mission Clay Products and Doug Meadows, Co. - Not to exceed \$152,575 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1363

Item 36: Authorize a thirty-six-month price agreement for water meters and detector check valves with the lowest responsible bidders of five - Neptune Technology Group, Inc., AMCO Water Metering Systems, Inc., Hersey Meters Company, Badger Meter, Inc., and Master Meter, Inc. - Not to exceed \$5,345,278 - Financing: Water Utilities Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 36 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1364

Item 37: Ratify an emergency purchase of professional services from Applied Research Associates to conduct a blast analysis of Parking Garage A at Dallas Love Field to meet Transportation Security Administration requirements - \$30,000 - Financing: Aviation Capital Construction Funds

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 late 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 Walne moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1365

Item 38: Ratify emergency repairs of the climate control and event floor ice-making chillers located at Reunion Arena - Natkin Service Company - \$122,696 - Financing: Convention Center Capital Construction Funds

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 late 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 Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Loza and unanimously adopted

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1366

Item 39: Authorize settlement of a lawsuit styled Kelly Ann Porter v. City of Dallas, Texas, Cause No. cc-00-08874-c - \$25,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1367

Item 40: Authorize settlement of a lawsuit, styled Roland Thomas and Mary Johnson v. City of Dallas and Sylvia Paige, Cause No. 02-2008-A - \$16,800 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1368

Item 41: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Stutzman, Bromberg, Esserman & Plifka, P.C., for additional legal services in the lawsuit styled Ann Tenison Hereford Webb, et al., v. The City of Dallas, Texas, et al., Civil Action No. 3:00-CV-2558-R, in an amount not to exceed \$185,000, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$185,000, from \$15,000 to \$200,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1369

Item 42: Authorize a Discretionary Service Agreement with Oncor Electric Delivery Company (formerly TXU Electric) to reserve the power capacity of 3.7 mega volt amps utilizing dual feed and automatic transfer switchgear equipment to provide service at the Dallas Love Field Central Plant located at 8000 Aviation Place - \$193,599 - Financing: Aviation Capital Construction Funds (\$81,350 to be reimbursed by Federal Aviation Administration Grant Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1370

Item 43: Authorize an amendment to Resolution No. 02-3584 previously approved on December 11, 2002, to extend the deadline for taking out building permits or funding improvements from June 1, 2003 to November 1, 2003 for 1717 Main Street (Bank One Center) located in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1371

Item 44: Authorize adoption of the East Kleberg Land Use Plan and approval of the recommendations contained therein as a guide in the future development of the area generally bounded by I-20 to the north; the city limit line of Dallas along Stark Road to the east; Seagoville Road to the south; and Belt Line Road to the west - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the East Kleberg Land Use Plan:

William Cothrum, 3310 Fairmont St., representing Dallas- Stark LP #1
J.R. Kanaman, 12440 Foothill Rd.
Veronica Priest, 3621 Jordan Valley Rd.
Coen Enright, 688 Stark Rd.
William Freeman, 13815 Kleberg Rd.

Councilmember Fantroy moved to suspend the rule to allow a speaker to speak who had not registered.

Motion seconded by Mayor Pro Tem Hill and unanimously adopted.

Pat Avant, 14770 Lassiter Rd., representing the Mobil Home Park

Councilmember Fantroy moved to approve the East Kleberg Land Use Plan.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1372

Item 45: An ordinance amending Chapter 57 of the Dallas City Code to require fire protection in certain single-family dwellings - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25242.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1373

Item 46: An ordinance authorizing a correction to Ordinance No. 24728 correcting the yard, lot, and space charts for Planned Development District No. 193, the Oak Lawn Special Purpose District (Z001-218(LS) - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Miller stated that consent agenda item 46 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 46 was brought up for consideration.

The city secretary announced that Councilmember Rasansky had a conflict of interest and would abstain from participating in any discussion when the item appeared before the city council. Councilmember Rasansky left the city council chamber.

Deputy Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Rasansky abstain)

Assigned ORDINANCE NO. 25243.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1374

Item 47: An ordinance granting a Specific Use Permit for the placement of fill material on property zoned an IM Industrial Manufacturing District with Specific Use Permit No. 98 for quarry and mining operations as an additional permitted use on a portion of the site on Chalk Hill Road north of Interstate Highway 30 Z023-155(RB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25244.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1375

Item 48: Authorize **(1)** a public hearing to be held on May 28, 2003 to receive citizens' comments on the proposed private sale by quitclaim deed of 2 unimproved properties located at 2707 Britton Avenue and 2717 Clarence Street acquired by the taxing authorities from the Sheriff's Sale to SouthFair Community Development Corporation, a qualified non-profit organization and **(2)** at the close of the public hearing consideration 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

MAY 14, 2003

03-1376

Item 49: Authorize a renewal to the contract with the African American Museum to provide a four-week Summer Camp for students ages 7-12 and six community workshops for students and senior citizens from low to moderate income areas - \$50,000 - Financing: 2002-03 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1377

Item 50: Authorize a two-year extension of the City Depository/City Treasurer's contract with John A. Wright and his affiliated banking institution, Bank One, NA to June 30, 2005 - Not to exceed \$2,100,000 - Financing: Current Funds (\$1,100,000) and Water Utilities Current Funds (\$1,000,000)

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

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

The city secretary announced that Councilmember Walne had a conflict of interest and would abstain from participating in any discussion when the item appeared before the city council. Councilmember Walne left the city council chamber.

Councilmember Fantroy moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1378

Item 51: Authorize a public hearing to be held on June 11, 2003 to receive citizens' comments on the proposed permanent use of a portion of Emma Carter Park by the Dallas Public Works and Transportation Department for street right-of-way purposes for Canada Drive improvements - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1379

Item 52: Authorize a public hearing to be held on June 11, 2003 to receive citizens' comments on a proposed change of use and sale or exchange of approximately 15.22 acres of land located at 1300 Morocco Street on property known as North Arcadia Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1380

Item 53: Authorize **(1)** a public hearing to be held on May 28, 2003 to receive citizens' comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law, and **(2)** at the close of the public hearing, consideration of the readoption of Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1381

Item 54: Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad grant in an amount of \$650,000 to provide a specialized proactive automobile theft program, from the Texas Automobile Theft Prevention Authority, for a total amount of \$748,567, for the period September 1, 2003 through August 31, 2004 (local match in the amount of \$98,567, or 13% of all expenses, will be required if awarded) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1382

Item 55: Authorize **(1)** acceptance of funds from Comcast Cable Communications, Inc. for reimbursement of material and labor provided by the City of Dallas for the relocation of electric power service hardware at various locations throughout the City in an amount not to exceed \$150,000, and **(2)** an increase in appropriations in the amount of \$150,000 in the Capital Projects Reimbursement Fund - \$150,000 - Financing: Private Funds

Councilmember Rasansky requested that consent agenda item 55 be considered as an individual item. Mayor Miller stated that consent agenda item 55 would be considered as an individual item late in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 55 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

MAY 14, 2003

03-1383

Item 56: Authorize an agreement with the Upper Trinity Regional Water District for the use of Lake Lewisville for pass through of Chapman Lake water -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1384

Item 57: Authorize a contract with Fund IV EAGL Plantation Resort, L.P. to provide non-interruptible untreated water from a diversion point located along White Rock Creek for five years, with two five-year extensions for irrigation of the Plantation Golf Club located in Frisco, Texas - Estimated Annual Revenue: \$15,688

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1385

Item 58: Authorize the rejection of bids received for heating, ventilation and air conditioning modifications at the Central Wastewater Treatment Plant administration building and the re-advertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1386

Item 59: Authorize Supplemental Agreement No. 3 to the Reciprocal Agreement Emergency Treated Water Supply with Dallas County Park Cities Municipal Utility District for an additional emergency delivery facility - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1387

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 60-66, was presented.

Agenda items 61 was removed from the consent zoning docket, to be considered as individual hearings.

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

- Agenda item 60: Zoning Case Z023-135 (RB)
- ~~Agenda item 61: Zoning Case Z023-151 (WE)~~ **[Considered individually]**
- Agenda item 62: Zoning Case Z023-160 (MM)
- Agenda item 63: Zoning Case Z023-164 (WE)
- Agenda item 64: Zoning Case Z023-166 (WE)
- Agenda item 65: Zoning Case Z023-167 (WE)
- Agenda item 66: Zoning Case Z023-162 (MF)

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

Appearing in opposition to the city plan commission's recommendation to zoning case Z023-164 (WE):

Paula Lambert, 5 Marie St.

Appearing in favor to the city plan commission's recommendation to zoning case Z023-164 (WE):

William Cothrum, 3310 Fairmont St.

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

- Joe Martin, 3105 Gladiolus, regarding concept of consent agenda
- William Hopkins, 2011 Leath St., regarding zoning consent agenda

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

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1388

Item 60: Zoning Case Z023-135 (RB)

Zoning Case Z023-135 (RB), an application for an expansion and amendment to Specific Use Permit No. 1385 for a Pedestrian skybridge on property zoned an MU-3 Mixed Use District on Motor Street and Amelia Court, southwest of Harry Hines Boulevard.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1389

Item 61: Zoning Case Z023-151 (WE)

Councilmember Thornton Reese requested that consent zoning docket item 61 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 61 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Thornton Reese's request.

A public hearing was called on zoning case Z023-151 (WE), an application for and an ordinance granting R-7.5(A) Single Family District on property within Planned Development District No. 54 for Townhouse uses, and an ordinance granting a Specific Use Permit for Private Streets and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, TH-3(A) Townhouse District and PD No. 54, on the northwest corner of Forney Road and Jim Miller Road.

(The city plan commission recommended approval of an R-7.5(A) Single Family District and approval of a Specific Use Permit for private streets for a permanent time period, subject to a site plan and conditions, and subject to deed restrictions volunteered by the applicant.)

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

William Hopkins, 2011 Leath St.

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

Robert Baldwin, 1445 Ross Ave.
Eugene Thomas, P. O. Box 50051
Linda Pelon, 3015 Nutting Dr.
Steve Houser, 2304 Blackberry St.

Councilmember Thornton Reese moved to postpone the application until the August 13, 2003 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1390

Item 62: Zoning Case Z023- 160 (MM)

Zoning Case Z023- 160 (MM), an application for and an ordinance granting an RR Regional Retail District and an ordinance granting the termination of Specific Use Permit No. 98 for quarrying and mining for that portion encompassing the request site on property zoned an IM Industrial Manufacturing District on the southwest corner of the intersection of IH-30 and Cockrell Hill Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NOS. 25245 and 25246.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1391

Item 63: Zoning Case Z023-164 (WE)

Zoning Case Z023- 164(WE), an application for and an ordinance granting an amendment to Subdistrict No. 34 for Multifamily uses, SC Shopping Center Subdistrict uses, and commercial parking lot or garage uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, at Howell Street and Hall Street, northwest corner.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25247.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1392

Item 64: Zoning Case Z023-166 (WE)

Zoning Case Z023-166 (WE), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an A(A) Agricultural District with a D Liquor Control Overlay, at Tempest Road and Prater Road, northeast corner

(The city plan commission recommended approval with retention of the D Liquor Control Overlay.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25248.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1393

Item 65: Zoning Case Z023-167 (WE)

Zoning Case Z023-167 (WE), an application for and an ordinance granting an amendment to and an expansion of Planned Development District No. 364 for Dairy uses and MU-3 Mixed Use District uses, on property zoned Planned Development District No. 364 and Planned Development District No. 468 for Mixed Residential, Retail, Office, and Light Industrial Uses with urban design guidelines, at Jefferson Boulevard and Marsalis Boulevard, north of Colorado Boulevard

(The city plan commission recommended approval, subject to development plan/landscape plan.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25249.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1394

Item 66: Zoning Case Z023-162 (MF)

Zoning Case Z023-162 (MF), a City Council authorized hearing to determine the proper zoning on property zoned Subarea 1 within Planned Development District No. 607 for single family and retail uses with consideration being given to allowing smaller lot size, requiring alleys and disallowing front vehicular entry on property bounded by Kirnwood Drive, Bainbridge Drive and Cliff Creek Crossing Drive and an ordinance implementing the change.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25250.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1395

Item 67: Public Hearing - Zoning Case Z012-115 (JG)

A public hearing was called on zoning case Z012-115 (JG), to consider a proposed Conceptual plan and to determine the proper zoning on property zoned an R-10(A) Single Family District and generally bounded by University Boulevard, North Dallas Tollway, Mockingbird Lane and Inwood Road and an ordinance granting a Conservation District and approving the Conceptual plan.

(The city plan commission recommended approval of a Conservation District and approval of a Conceptual plan.)

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

Edwin Nolan Boots, 5400 Neola Dr.
Dodd Crutcher, 5355 Nakoma Dr.
Elizabeth Boeckman, 5380 Nakoma Dr.
Elizabeth Malakoff, 5567 Waneta Dr.
David Franklin, 5403 Drane Dr.
Cullum Clark, 5343 Waneta Dr.

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

Lanay Hartmann, 5318 Drane Dr.
Walter Goodman, 5416 Neola Dr.
Molly Van Ort, 5422 W. University Blvd.
Michael Singer, 5366 Montrose Dr.
Carmen Warfield, 5329 Montrose Dr.
Stan Barnett, 5514 W. University Blvd.

The following individuals addressed the city council regarding zoning case Z012-115 (JG):

Marvin Crenshaw, 5134 Malcolm X Blvd.
William Hopkins, 2011 Leath St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-1395

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Councilmember Lill moved to close the public hearing and follow the recommendation of the city plan commission to adopt the Conservation District and the Conceptual plan with the changes shown in the revised ordinance draft labeled Alternate No. 1 dated May 14, 2003 distributed to council at this hearing with the final version of the ordinance to be brought back to council on May 28, 2003.

Motion seconded by Deputy Mayor Pro Tem Loza.

During discussion, Deputy Mayor Pro Tem Loza asked Councilmember Lill if she would accept a friendly amendment to her motion, to defer the item until May 28, 2003 voting agenda meeting with the hearing open but limited the speakers' time to 10 minutes per side.

Councilmember Lill accepted the amendment as part of her motion.

After discussion, Mayor Miller called the vote on Councilmember Lill's motion as modified by the friendly amendment.

Mayor Miller declared the motion as modified by the friendly amendments, unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1396

Item 68: Public Hearing - Zoning Case Z023-143 (MM)

A public hearing was called on zoning case Z023-143 (MM), an application for and an ordinance granting a Planned Development District for senior retirement housing and related uses on property zoned an R-7.5(A) Single Family District on Perryton Drive, west of Hampton Road, and south of Glenfield Avenue.

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

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

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

Suzan Kedron-Lyn, 901 Main St., representing the applicant
Michael Jung, 4300 Bank of America Plaza

The following individuals addressed the city council regarding zoning case Z023-143 (MM):

Marvin Crenshaw, 5134 Malcolm X Blvd.
William Hopkins, 2011 Leath St.

Councilmember Housewright moved to close the public hearing and approve the application subject to revised site plans and conditions.

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

Assigned ORDINANCE NO. 25252.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1397

Item 69: Public Hearing - Zoning Case Z023-136 (RB)

A public hearing was called on zoning case Z023-136 (RB), an application for a CS Commercial Service District on property zoned an MF-2(A) Multifamily District and an ordinance granting an NS(A) Neighborhood Service District on the south side of Illinois Avenue, between Fordham Road and Wilhurt Drive.

(The city plan commission recommended approval of an NS(A) Neighborhood Service District in lieu of the requested CS Commercial Service District. This item was considered by the City Council at a public hearing on April 9, 2003, and was taken under advisement until May 14, 2003, with the public hearing open.)

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

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

Peter Kavanagh, 1620 Handley, representing the applicant

The following individuals addressed the city council regarding zoning case Z023-136 (RB):

Marvin Crenshaw, 5134 Malcolm X Blvd.

William Hopkins, 2011 Leath St.

Mayor Pro Tem Hill moved to postpone the application until the May 28, 2003 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1398

Item 70: Public Hearing - Zoning Case Z012-269 (RB)

A public hearing was called on zoning case Z012-269 (RB), an application for a CH Cluster Housing District on property zoned an R-7.5(A) Single Family District, on Oren Lane, South of Jim Street and West of Orbiter Park.

(The city plan commission recommended approval of an R-5(A) Singel Family District in lieu of the requested CH Clustered Housing District. This item was considered by the City Council at a public hearing on April 9, 2003, and was taken under advisement until May 14, 2003, with the public hearing open.)

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

Doris J. Smith, 9315 Whittenburg

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

The following individuals addressed the city council regarding zoning case Z023-136 (RB):

Marvin Crenshaw, 5134 Malcolm X Blvd.

William Hopkins, 2011 Leath St.

Councilmember Walne moved to postpone the application until the May 28, 2003 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1399

Item 71: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments on the proposed amendment and reallocation of funds for Dallas County's Housing Opportunities for Persons with AIDS contracts for FY 2000-01, FY 2001-02 and FY 2002-03 and at the close of the hearing authorize acceptance of the amendment and reallocation of funds - Financing: No cost consideration to the City

The following individuals addressed the city council regarding this item:

Marvin Crenshaw, 5134 Malcolm X Blvd.
William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1400

Item 72: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments regarding the establishment of approved Basic service tier and equipment rates for cable television services provided by Comcast of Dallas, Inc. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding this item:

Marvin Crenshaw, 5134 Malcolm X Blvd.

William Hopkins, 2011 Leath St.

Evelyn Akram, 1603 Whitaker Ave.

Herb Sanders, 3000 Martin Luther King Blvd., representing James Madison High School

Tony Muschetl, 4311 Bryan St., representing the Reconciliation Outreach Center
James Cowgill, 11357 Earlywood Dr.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1401

Item 73: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments in preparation of the FY 2003-04 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding this item:

Marvin Crenshaw, 5134 Malcolm X Blvd.

William Hopkins, 2011 Leath St.

James Cowgill, 11357 Earlywood Dr., representing the Senior Affairs Commission

Virgil St. Clair, 9952 Vistadale Dr., representing the Senior Affairs Commission

Councilmember Chaney moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1402

Item 74: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1403

Item 75: Authorize an application to the Texas Department of Economic Development nominating Lowe's Home Centers, Inc., located in City of Dallas Enterprise Zone One at Pinnacle Park, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

Councilmember Housewright moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Greyson absent
When vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1404

Item 76: Authorize an amendment to Resolution No. 00-3776 previously approved on December 13, 2000, which authorized a 75% real property tax abatement agreement for ten years with Victory Packaging Inc. and its lessor Dallas VP Partners, LTD. to extend the substantial completion date from July 31, 2001 to December 31, 2003 and to reduce the tax abatement period from ten years to eight years related to the consolidation of its distribution and packaging operations within the City of Dallas Commercial Zone "A" at 3061 Saner Avenue (First year revenue is estimated at \$3,324; eight-year revenue is estimated at \$26,592; estimated real property tax revenue foregone for eight-year property tax abatement is \$79,777) - Financing: No cost consideration to the City

Councilmember Housewright moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1405

Item 77: Authorize annual adjustments to appropriations for the 2001-02 fiscal year for year-end close - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1406

Item 78: Authorize and ratify the lease and concession agreement for the purchaser of the Texas Queen passenger boat, pursuant to the order of the Federal Bankruptcy Court, to operate a commercial passenger boat service on Lake Ray Hubbard - Total Estimated Revenue: \$146,520 for five years with two five-year renewal options, plus five percent additional fee for any sales over \$540,000, Year 1 (\$24,000); Year 2 (\$26,400); Year 3 (\$29,040); Year 4 (\$31,944); Year 5 (\$35,136)

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 551.071 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.

Councilmember Walne moved to reject the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1407

Item 79: An ordinance abandoning a portion of Northwest Highway service road to MarketPlace L H Partners, L.P. and Krestena, Inc., the abutting owners, containing approximately 23,010 square feet of land located near the intersection of Northwest Highway and Jupiter Road, and authorizing the quitclaim - Revenue: \$195,585 plus the \$20 ordinance publication fee

Councilmember Walne moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25251

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1408

Item 80: Authorize the purchase of **(1)** ~~three~~ **one** water bill payment machines (kiosks), associated software and licensing in the amount of ~~\$250,000~~ \$156,242, and **(2)** a sixty-month service and maintenance agreement in the amount of ~~\$150,000~~ \$115,615, from the most advantageous proposer of three - Clarusys, Inc. - Total not to exceed ~~\$400,000~~ \$271,857 - Financing: Water Utilities Capital Construction Funds (\$156,242) and Water Utilities Current Funds (\$115,615) (subject to annual appropriations)

Councilmember Greyson moved to approve the item as corrected on the addendum.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1409

Item 81: Authorize **(1)** rescinding Resolution No. 02-3045 previously authorized on October 23, 2002 for a secured, no-interest forgivable loan agreement with Rebuilding Our Community, Inc. for the acquisition and renovation of property located at 3224 South Westmoreland Road in an amount not to exceed \$150,000; and, **(2)** a secured, no-interest forgivable loan agreement with Rebuilding Our Community, Inc. in the amount of \$150,000 for the acquisition and renovation of a facility located at 5811 South R. L. Thornton for the period May 1, 2003 through April 30, 2004 (Agencies that acquire and renovate properties with Community Development Grant Funds are required to provide a public service to eligible persons for a minimum of five years after acquisition and renovation) - Financing: No additional cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1410

Addendum Item 1: An ordinance abandoning a portion of an alley to Communities Foundation of Texas, the abutting owner, containing approximately 11,500 square feet of land located near the intersection of Annex Avenue and Bryan Street, authorizing the quitclaim and providing for the dedication of approximately 2,920 square feet of land needed for the Phuong Market - Revenue: \$56,993 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25253.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1411

Addendum Item 2: An ordinance granting a private license to Elm Street Developments, LLC for the use of a total of approximately 449 square feet of land to construct, install and maintain lighting, planters, canopies, a raised stoop and glass entry surround on and over portions of Pacific Avenue and Elm and North Harwood Streets rights-of-way - Revenue: \$1,000 plus the \$20 ordinance publication fee

Councilmember Lill 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".

Assigned ORDINANCE NO. 25254.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1412

Addendum Item 3: Ratify an emergency purchase and installation of ozone generators and power supply units for the Elm Fork Water Treatment Plant - PCI - Wedeco Environmental Technologies, Inc. - Sole Source - \$6,400,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1413

Addendum Item 4: Authorize **(1)** the appointment of Jordan S. Harburger of The Greater Dallas Jewish Community Capital Campaign for the 21st Century, or his designee, as the designated hearing officer for the purpose of publishing a notice of public hearing and holding such hearing and **(2)** the Mayor to approve, following such hearing, the issuance of bonds not to exceed \$20,000,000 by the Colorado Educational and Cultural Facilities Authority for the benefit of the Dallas Jewish Community Foundation and its affiliated agencies - Financing: No cost consideration to the City

Approved as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2003

EXHIBIT C

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 2003

03-1325

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

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

ABSENT: [0]

CORRECTIONS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

MAY 14, 2003

03-1395

Item 67: Public Hearing - Zoning Case Z012-115 (JG)

A public hearing was called on zoning case Z012-115 (JG), to consider a proposed Conceptual plan and to determine the proper zoning on property zoned an R-10(A) Single Family District and generally bounded by University Boulevard, North Dallas Tollway, Mockingbird Lane and Inwood Road and an ordinance granting a Conservation District and approving the Conceptual plan.

(The city plan commission recommended approval of a Conservation District and approval of a Conceptual plan.)

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

~~Edwin Nolan Boots~~ **Boots Nowlin**, 5400 Neola Dr.
Dodd Crutcher, 5355 Nakoma Dr.
Elizabeth Boeckman, 5380 Nakoma Dr.
Elizabeth Malakoff, 5567 Waneta Dr.
David Franklin, 5403 Drane Dr.
Cullum Clark, 5343 Waneta Dr.

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

Lanay Hartmann, 5318 Drane Dr.
Walter Goodman, 5416 Neola Dr.
Molly Van Ort, 5422 W. University Blvd.
Michael Singer, 5366 Montrose Dr.
Carmen Warfield, 5329 Montrose Dr.
Stan Barnett, 5514 W. University Blvd.

The following individuals addressed the city council regarding zoning case Z012-115 (JG):

Marvin Crenshaw, 5134 Malcolm X Blvd.
William Hopkins, 2011 Leath St.