

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 10, 2003

03-2420

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

PRESENT: [15] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney,
Fantroy, Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill

ABSENT: [0]

The meeting was called to order at 10:03 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 4:56 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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2494

Non Agenda Item

The mayor read a proclamation for remembrance of September 11, 2001 and recognized the African Chamber of Commerce, DFW Third Annual African Festival, September 10-14, 2003.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 10, 2003

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 10, 2003

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2421

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: Corey Toney, 4145 Drowsy Ln. **CANCELED**
SUBJECT: Chief

SPEAKER: Marc Spurlock, 4419 Belmar Ct.
REPRESENTING: Environmental Health Center
SUBJECT: Insecticide spraying for West Nile Virus

SPEAKER: Janice Henry, 423 E. Ledbetter Dr. **NO SHOW**
SUBJECT: Recall

SPEAKER: Carolyn Hurd, 2817 Larkspur Ln. **CANCELED**
SUBJECT: Police brutality and crime

SPEAKER: W.J. Atkins, 4632 Jade Dr.
REPRESENTING: Freda Johnson
SUBJECT: Police damage to property

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Michael Jones, 3139 Whirlaway
SUBJECT: SBC, Voice over IP

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Julio Perez, 2630 Gladstone Dr. **NO SHOW**
SUBJECT: Regarding business burglary

SPEAKER: Mary Hasan, 3425 Hacienda Dr. **CANCELED**
SUBJECT: City Attorney, Preferential treatment

SPEAKER: Fredia Lockhart, 2537 Stovall Dr.
SUBJECT: Southern sector of Dallas

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-2421

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SPEAKER: Bruce Kline, 733 Cliffview Dr. **NO SHOW**
SUBJECT: A letter from a Deputy Police Chief

SPEAKER: Tom Foster, 502 N. Cedar Ridge, Duncanville
SUBJECT: Injustice from City of Dallas against Chief of Police

SPEAKER: Linda Lisardo, 2112 Leslie St., Denton **NO SHOW**
SUBJECT: Smoking Ban

SPEAKER: Martha Fortune, 212 Leslie St., Denton **NO SHOW**
SUBJECT: Smoking ban

SPEAKER: Willima Banner, 5517 N. Colony, Colony
REPRESENTING: 911 System Operations
SUBJECT: 911 awareness

SPEAKER: Rocky Deguzman, 5941 Jackie Terrace, Watauga
SUBJECT: Community ideas, Issues

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

SPEAKER: Sally Atkinson, 8148 Meadow Rd. **NO SHOW**
SUBJECT: West Nile spraying

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: Resign, recall and removal

SPEAKER: Williams Hopkins, 2011 Leath St.
SUBJECT: Corruption: Mayor of Dallas, Cadillac Heights, KKK, West Dallas Superfund

SPEAKER: M.L. Curry, 6919 Brierfield Dr. **NO SHOW**
REPRESENTING: Dallas West Ministers Alliance
SUBJECT: Chief Bolton

SPEAKER: Deborah Moreland, 2818 Martin Luther King Blvd.
REPRESENTING: Dr. Martin Luther King Recreation Advisory Board
SUBJECT: Not adhering to the City of Dallas Park and Recreation policies

SPEAKER: Sandra Crenshaw, (address not given)
REPRESENTING: People United to Defeat Mayor
SUBJECT: It's a good thing

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-2421

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SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Ethics violations, Conflicts of interest, Plantation wars

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2422

Item 1: Approval of Minutes of the August 27, 2003 City Council Meetings

Mayor Pro Tem Loza moved to approve the minutes.

Motion seconded by Councilmember Fantroy and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2423

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-46 and addendum addition consent agenda items 1-5, was presented for consideration.

The city secretary announced that the city manager had deleted consent agenda item 8 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmembers Thornton Reese and Chaney requested that consent agenda items 3 and 4 be considered as individual items. Mayor Miller stated that consent agenda items 3 and 4 would be considered as individual items later in the meeting, there being no objection voiced to Councilmembers Thornton Reese and Chaney.'s request.

Councilmember Rasansky requested that consent agenda items 3, 4, 13, 17, 28, 37 and 43 be considered as individual items. Mayor Miller stated that consent agenda items 3, 4, 13, 17, 28, 37 and 43 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Garcia moved to approve all items on the consent agenda with the exception of consent agenda item 8 which was deleted and consent agenda items 3, 4, 11, 13, 17, 28, 37 and 43 would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2424

Item 2: Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for the preparation of design documents for bidding and construction administration services for remediation work at the Vietnam Veterans Memorial in Fair Park - \$18,000 - Financing: Fair Park Special Maintenance Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2425

Item 3: **Samuell Boulevard from IH 30 to Mesquite City Limits**

Note: Item Nos. 3 and 4 must be considered collectively.

- * Authorize a professional services contract with HNTB Corporation to provide engineering services for paving, storm drainage, water and wastewater main improvements on Samuell Boulevard from IH 30 to Mesquite City Limits - \$1,234,662 - Financing: 1998 Bond Funds (\$898,418) (\$718,734 to be reimbursed by the Texas Department of Transportation), Water Utilities Capital Improvement Funds (\$336,244)

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

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2426

Item 4: **Samuell Boulevard from IH 30 to
Mesquite City Limits**

Note: Item Nos. 3 and 4 must be considered collectively.

- * Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the Texas Department of Transportation for paving improvements on Samuell Boulevard from IH 30 to Mesquite City Limits - Financing: This action has no cost consideration to the City

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

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

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2427

Item 5: Authorize a professional services contract with RJN Group, Inc. to provide engineering services and analysis of the inflow and infiltration into the wastewater collection system in the McKamy, Cottonwood and Central Branches located within the White Rock Creek drainage area - \$2,590,786 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2428

Item 6: Authorize a professional services contract with Montgomery Watson Harza Americas, Inc. to provide engineering services to update the Wastewater Collection System Master Plan, evaluate the wastewater system infrastructure, develop a hydraulic computer model of the wastewater collection system and collect pertinent data to populate the Geographic Information System - \$7,659,111 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2429

Item 7: Authorize a contract for water infiltration and drainage work at the Exline Recreation Center located at 2525 Pine Street - Doric Building Corporation, lowest responsible bidder of four - \$69,878 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2430

Item 8: Authorize (1) a contract for selective demolition and Phase 1 construction of the 1600-1604 Elm Street Building with Nedderman and Associates, lowest responsible bidder of four in an amount not to exceed \$1,011,000, (2) a contract for abatement of asbestos and lead based paint at the 1600-1604 Elm Street Building with L. A. Environmental, Inc., lowest responsible bidder of five in an amount not to exceed \$81,650, (3) assignment of the construction and abatement contracts to 1600 Elm Street LTD for construction management, and (4) payment to 1600 Elm Street LTD in an amount not to exceed \$240,280 for design, reimbursables, and construction management - Total not to exceed \$1,332,930 - Financing: City Center TIF District Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2431

Item 9: Authorize a contract for basin complex and operations building improvements at the Central Wastewater Treatment Plant - Archer-Western Contractors, Ltd., lowest responsible bidder of four - \$10,447,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2432

Item 10: Authorize a contract for the construction of corrosion protection systems for the 84-inch White Rock North, Dallas-Fort Worth Airport and the Cedar Crest water transmission mains - Miller Pipeline Corporation, lowest responsible bidder of three - \$609,205 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2433

Item 11: Authorize a contract for the rehabilitation of existing wastewater mains and the construction of water and wastewater main replacements in various locations - Barson Utilities, Inc., lowest responsible bidder of four - \$5,215,919 - Financing: Water Utilities Capital Improvement Funds

The following individual addressed the city council regarding the contract:

Bruce Bagelman, 9417 Waterview Rd., representing Deep Ellum Property Owners

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2434

Item 12: Authorize an increase in the contract with Texas-Sterling Construction, Inc. for the construction of additional driveways, sidewalk and street lighting improvements for the McKinney Avenue Trolley North Extension project - \$83,980, from \$5,821,788 to \$5,905,768 - Financing: 1995 Bond Funds (\$56,267 to be reimbursed by the Texas Department of Transportation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2435

Item 13: Authorize an increase in the contract with F. Hall Mowing Company for demolition services for structures ordered demolished by the Urban Rehabilitation Standards Board, court orders, the emergency demolition of unsafe buildings due to fire damage, and the demolition of City-owned buildings as required - \$250,000, from \$1,000,000 to \$1,250,000 - Financing: Demolition Reserve Funds

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

Later in the meeting, agenda item 13 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2436

Item 14: Authorize Supplemental Agreement No. 2 to the professional services contract with GRW Willis, Inc. for the design of a new terminal and associated improvements at Dallas Executive Airport, to provide building commissioning for Leadership in Energy and Environmental Design certification, and additional surveying - \$39,794, from \$535,519 to \$575,313 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2437

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 5,947 square feet of land from Victorian Forest Estates, L.P. located near the intersection of Jim Miller and Scyene Roads, needed for expansion of Scyene Trail Park - \$28,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2438

Item 16: Authorize the deposit of a Special Commissioners= Award for acquisition from Bernice Griggs, et. al., of 2 tracts of land totaling approximately 23,118 square feet located near the intersection of Hull Avenue and Linfield Road, needed for the South Central Addition Improvements - \$24,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2439

Item 17: Authorize a five-year extension of the lease agreement with PHILMAR, Inc., for approximately 13,829 square feet of office and warehouse space located at 2331 West Northwest Highway, Suite 100, currently used by the Equipment Services Section of the Police Department - October 15, 2003 through October 14, 2004 (\$97,141); October 15, 2004 through October 14, 2005 (\$97,141); October 15, 2005 through October 14, 2006 (\$100,056); October 15, 2006 through October 14, 2007 (\$103,058); October 15, 2007 through October 14, 2008 (\$103,058), for a five-year total of \$500,456 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 17 be considered as an individual item. Mayor Miller stated that consent agenda item 17 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 17 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2440

Item 18: Authorize a sixty-six-month service contract for elevator, escalator and moving sidewalk maintenance and repair at Dallas Love Field with the lowest responsible bidder of four - United Elevator Services, Inc. - Not to exceed \$951,486 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2441

Item 19: Authorize a thirty-six-month service contract for sale of scrap metal with the most responsible bidder of three - Okon Metals, Inc. - Estimated Revenue: \$313,718

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2442

Item 20: Authorize a twenty-four-month price agreement for plumbing parts with the lowest responsible bidders of three - Triangle Supply Company, Inc. and Maintenance Warehouse/America Corp. - Not to exceed \$62,608 - Financing: Current Funds (\$43,181), Aviation Current Funds (\$19,427)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2443

Item 21: Authorize a thirty-six-month price agreement for polyethylene bags, trash liners and ziplock storage bags with the lowest responsible bidders of six - EIP, Incorporated, Ceco Sales Corporation, M.A.N.S Distributors, Incorporated and Torrez Paper Company - Not to exceed \$303,705 - Financing: Current Funds (\$255,324), Water Utilities Current Funds (\$29,532), Convention and Event Services Current Funds (\$18,849)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2444

Item 22: Authorize the purchase of two 15,000 gross vehicle weight rating, cab and chassis from Lawrence Marshall Ford, L.P., through BuyBoard, a Texas local government cooperative purchasing program - Not to exceed \$61,938 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2445

Item 23: Authorize an eleven-year concession services contract for the proposed family aquatics center at Thurgood Marshall Park with the only proposer - Horizon Family Management South LLC - Estimated Annual Revenue: \$116,136

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2446

Item 24: Authorize a thirty-six-month price agreement for grass seed and sod with the lowest responsible bidders of five - Home Depot Landscape Supply, Estes, Inc., and BWI Companies, Inc. - Not to exceed \$462,858 - Financing: Current Funds (\$427,457), Water Utilities Current Funds (\$35,401)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2447

Item 25: Authorize the purchase of one covert surveillance vehicle from Audio Intelligence Devices, Inc. - Sole Source - Not to exceed \$97,572 - Financing: 2003 U.S. Department of Justice Bureau of Justice Assistance Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2448

Item 26: Authorize a forty-eight-month price agreement for police riot gear with the lowest responsible bidders of ten - Abatix Corp., C & G Wholesale, Dallas Public Safety Supply, Inc., and GT Distributors, Inc. - Not to exceed \$762,534 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2449

Item 27: Authorize (1) funding for the acquisition of the historic facade easement on the Davis Building, located at 1309 Main Street in accordance with Resolution No. 99-1434 as amended, previously approved on April 28, 1999, and the terms of the Purchase and Sale Agreement; and (2) a maintenance agreement with Hamilton Davis, LLP (Hamilton) setting out Hamilton's responsibility in maintaining the facade of the Davis Building, located in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) - \$1,290,000 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2450

Item 28: Authorize (1) approval of the Deep Ellum Public Improvement District Service Plan for 2004; (2) a public hearing to be held on September 24, 2003 to receive citizens' comments concerning the annual assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) at the close of the public hearing, consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2004; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - 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 later 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 announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Rasansky left the city council chamber.

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2451

Item 29: Authorize (1) approval of the Dallas Downtown Improvement District Service Plan for 2004; (2) a public hearing to be held on September 24, 2003 to receive citizens' comments concerning the annual assessment rate for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Dallas Downtown Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) at the close of the public hearing, consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2004; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2452

Item 30: Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 2004; (2) a public hearing to be held on September 24, 2003 to receive citizens' comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) at the close of the public hearing, consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2004; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2453

Item 31: Authorize (1) approval of the Prestonwood Public Improvement District Service Plan for 2004; (2) a public hearing to be held on September 24, 2003 to receive citizens' comments concerning the annual assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) at the close of the public hearing, consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2004; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2454

Item 32: Authorize (1) approval of the Uptown Public Improvement District Service Plan for 2004; (2) a public hearing to be held on September 24, 2003 to receive citizens' comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District (District) for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and (3) at the close of the public hearing, consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2004; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2455

Item 33: **City Center TIF District**

Note: Item Nos. 33 and 34 must be considered collectively.

- . * Authorize (1) a development agreement with Main Street Investors J.V. to provide for the funding of environmental remediation, demolition, facade restoration, and other improvements related to the redevelopment of 1608 Main Street, in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$919,032; (2) funding for design and construction of certain public improvements related to a pedestrian access-way through 1608 Main Street, in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$636,480; and (3) the establishment of appropriations in the amount of \$1,555,512 in the City Center TIF District Fund - Total not to exceed \$1,555,512 - Financing: City Center TIF District Funds (\$919,032 to be advanced by a private developer and reimbursed from the City Center TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2456

Item 34: **City Center TIF District**

Note: Item Nos. 33 and 34 must be considered collectively.

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse Main Street Investors J.V. for funds advanced pursuant to a development agreement between the City and Main Street Investors J.V. in an amount not to exceed \$919,032 plus interest, for certain public infrastructure improvements related to the redevelopment of 1608 Main Street, in the City Center TIF District - \$919,032 - Financing: To be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from the City Center TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2457

Item 35: **Cityplace Area TIF District**

Note: Item Nos. 35 and 36 must be considered collectively.

- . * Authorize (1) a development agreement with ZOM Cityplace, L. P., to provide for funding for the design and construction of public improvements for the ZOM Cityplace, L. P. Mixed-Use High-Density project (The Waverly at Cityplace) located at the northeast corner of McKinney Avenue and Blackburn Street in Tax Increment Financing Reinvestment Zone Number Two Cityplace Area TIF District; and (2) the establishment of appropriations in an amount not to exceed \$1,800,000 in the Cityplace Area TIF District Fund - \$1,800,000 - Financing: To be advanced by a private developer and reimbursed with interest from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2458

Item 36: **Cityplace Area TIF District**

Note: Item Nos. 35 and 36 must be considered collectively.

- * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) to reimburse ZOM Cityplace, L. P., for the funds advanced pursuant to a development agreement between the City of Dallas and ZOM Cityplace, L. P., in an amount not to exceed \$1,800,000 plus interest, for certain public improvements related to the development of the ZOM Mixed-Use High-Density Project (The Waverly at Cityplace) located in Block 6 at the northeast corner of McKinney Avenue and Blackburn Street in Tax Increment Financing Reinvestment Zone Number Two Cityplace Area TIF District - \$1,800,000 - Financing: To be advanced by a private developer and reimbursed from the Cityplace Area TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2459

Item 37: An ordinance authorizing a correction to Ordinance No. 22648 that amended Ordinance No. 18053 that created Planned Development District No. 167 for Single Family Dwellings and Retail Uses along Matilda Street between Belmont Avenue and Prospect Avenue correcting the reference to the section of the ordinance containing the development conditions - Financing: No cost consideration to the City

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

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25359.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2460

Item 38: An ordinance authorizing a correction to Ordinance No. 24329 for a Regional Retail District on the west side of Chevrolet Drive, south of Chenault Street to correct the property description Z990-189 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25360.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2461

Item 39: Authorize an amendment to the contract with the Texas Commission on Environmental Quality for the acceptance of additional grant funds and execution of the grant agreement to operate air samplers for PM 2.5 and conduct air monitoring activities in Dallas - Not to exceed \$124,000, from \$124,000 to \$248,000 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2462

Item 40: Authorize a contract with the Texas Department of Health to continue the operation of a training center for the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2003 through September 30, 2004 - Not to exceed \$83,555 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2463

Item 41: Authorize a contract with the Texas Department of Health for the continuation of the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2003 through September 30, 2004 - Not to exceed \$8,640,000 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2464

Item 42: Authorize a public hearing to be held on October 22, 2003 to receive citizens' comments on proposed changes to the FY 2001-02 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds to (1) reprogram \$72,400 of HOME Grant Funds from Lot Acquisition Pilot Program mortgage assistance to Lot Acquisition Pilot Program land acquisition and (2) reprogram \$489,204 of Community Development Block Grant Funds from Lot Acquisition Pilot Program mortgage assistance to Neighborhood Investment Program public improvements - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2465

Item 43: Authorize renewal of the maintenance agreement with American Management Systems, Inc. for the support and maintenance of the City's automated financial system for the period October 1, 2003 through September 30, 2004 - Not to exceed \$164,419 - Financing: Current Funds (subject to appropriations)

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 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 43 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2466

Item 44: 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2467

Item 45: Authorize (1) an agreement between the City of Dallas, City of Grapevine and Dallas County Park Cities Municipal Utility District to implement the Lake Grapevine Reservoir Accounting Plan as required by the Texas Commission on Environmental Quality; and (2) payment to the City of Grapevine for the City of Dallas= cost share of the agreement with the City of Grapevine and Dallas County Park Cities Municipal Utility District - \$21,260 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2468

Item 46: 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 from October 1, 2003 through September 30, 2004 - \$67,165 - Financing: Water Utilities Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2469

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 47-48, was presented.

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

Agenda item 47: Zoning Case Z023-243 (RB)

Agenda item 48: Zoning Case Z023-266 (MM)

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

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

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

Mayor Pro Tem Loza 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 Finkleman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2470

Item 47: Zoning Case Z023-243 (RB)

Zoning Case Z023-243 (RB), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1269 for a Utility other than listed for a Water chilling facility on property within the Subarea 3 portion of Planned Development District No. 298, the Bryan Area Special Purpose District, on Bryan Street, between Haskell Avenue and Peak Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25361.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2471

Item 48: Zoning Case Z023-266 (MM)

Zoning Case Z023-266 (MM), an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 133 for a Utility or government installation other than listed, formerly called a Municipal Service Center use, on property zoned an R-5(A) Single Family Subdistrict in Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on Municipal Drive south of C.F. Hawn Freeway and east of Bexar Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25362.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2472

Item 49: Public Hearing – Zoning Case Z023-193 (NB)

A public hearing was called on zoning case Z023-193 (NB), a City Plan Commission authorized hearing to consider proper zoning on property zoned an MF-2(A) Multifamily District with consideration being given to R-7.5(A) Single Family District on an area bounded by Cresthaven Road, Midway Road, Lovers Lane and Lemmon Avenue and an ordinance granting an R-7.5(A) Single Family District.

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

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

Peter Kavanaugh, 1620 Hanley Dr., representing the applicant
Tracy Glover, 8403 Midway Rd.
Marcela Thurston, 3941 Andrea Dr.
Brennan Dale, 4231 Cresthaven Rd.,
Joe Beavers, 7044 Oak Lawn Ave.
Ronald Weisfeld, 2909 San Jacinto Rd.
Ed Speed (no address given)
Andy Seagull, 2414 N. Akard St.
Karen Boscher, 5136 Horseshoe Trl

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

Pat White, 4714 Wildwood Rd.
Janet Maddox, 83158 Midway Rd.
Craig Harris, 4026 Parkside Dr.
Becky Bridges, 8211 Midway Rd.
Grace Nemeir, 8306 Midway Rd.
Tesh Curtis, 8216 Midway Rd.

The following individuals appeared in favor of the city plan commission's recommendation but did not speak:

Vera Reece, 4919 Wenonah Dr.
Juan Calzada, 4256 S. Cresthaven Rd.
Dr. Colton, 8302 Midway Rd.
Rick Gonzales, 4263 S. Cresthaven Rd.
Joyce Lockley, 4718 Wateka Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-2472

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

Motion seconded by Councilmember Finkelman.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmembers Oakley and Blaydes voting "No".

Assigned ORDINANCE NO. 25363.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2473

Item 50: Public Hearing – Zoning Case Z023-194 (NB)

A public hearing was called on zoning case Z023-194 (NB), a City Plan Commission authorized hearing to consider proper zoning on property zoned an MF-2(A) Multifamily District with consideration being given to R-7.5(A) Single Family District on an area bounded by Lovers Lane, Taos Road, Hopkins Street, Lemmon Avenue, and Bluffview Road and an ordinance granting an R-7.5(A) Single Family District.

(The city plan commission recommended approval of an R-7.5(A) Single Family District except for the property zoned with SUP No. 713, the Traymore Nursing Home, which will remain a MF-2(A) Multifamily District.)

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

Peter Kavanaugh, 1620 Hanley Dr., representing the applicant
Cole Blank, 7648 Colcourt
Ann Kale, 7603 Colcourt
Rock Goosman, (no address given)
Juanita Eke, 7210 Robin Rd.
Casey Blank, 7656 Colcourt
Ronald Weisfeld, 2909 San Jacinto Rd.
Andy Seagull, 2414 N. Akard St.
Preston Colter, 7643 Colcourt

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

Vera Reece, 4919 Wenonah Dr.
Joyce Lockley, 4718 Wateka Dr.
Betty Epstein, 5409 Park Bar Dr.
William Hopkins, 2011 Leath St.

The following individuals were in favor of the city plan commission's recommendation but did not speak:

Pat White, 4714 Wildwood Rd.
Janet Maddox, 83158 Midway Rd.
Juan Calzada, 4256 S. Cresthaven Rd.
Dr. Colton, 8302 Midway Rd.
Rick Gonzales, 4263 S. Cresthaven Rd.
Craig Harris, 4026 Parkside Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-2473

Page 2

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

Motion seconded by Councilmember Fantroy.

Councilmember Blaydes moved to substitute for Councilmember Lill's motion a motion to take the ordinance under advisement, leave the public hearing open and remand the city plan commission for a full evaluation of low density zoning and other related rezoning aspects.

Motion died due to lack of a second.

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25364.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2474

Item 51: Public Hearing – Zoning Case Z023-179 (MM)

A public hearing was called on zoning case Z023-179 (MM), an application for and an ordinance granting the expansion of and amendment to Specific Use Permit No. 85 for a Cemetery on property zoned MF-2(A) Multifamily District with Specific Use Permit No. 85 on Lombardy Lane, west of Webb Chapel Road and east of Porter Street.

(The city plan commission recommended approval, subject to a site plan. This item was considered by the City Council at public hearings on May 28, June 25 and August 13, 2003, and was taken under advisement until September 10, 2003, with the public hearing open.)

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

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

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

Jonathan Vinson, 901 Main St., representing the applicant

Councilmember Salazar moved to postpone the application until the November 12, 2003 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Chaney and unanimously adopted. (Blaydes abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2475

Item 52: MISCELLANEOUS HEARINGS

Vickery Meadow Public Improvement District

Note: Item Nos. 52 and 53 must be considered collectively.

- . * A public hearing to receive citizens' comments on the re-establishment of a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code, known as the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements located in the District - Financing: No cost consideration to the City

- Item 53: * Authorize and re-establish Vickery Meadow Public Improvement District, as a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code including: (1) approval of findings as to the advisability of the proposed services and improvements, to be funded by assessments on real property and real property improvements; (2) designating Vickery Meadow Management Corporation as manager of the District; (3) authorizing a contract with Vickery Meadow Management Corporation for management services; and (4) approval of the District Service Plan - Financing: No cost consideration to the City

The following individuals addressed the city council regarding Vickery Meadow Public Improvement District:

Edith Hodson, 6620 Eastridge
William Hopkins, 2011 Leath St.
John Neal, 6162 Mockingbird Ln.

Councilmember Rasansky moved to close the public hearing and authorize and re-establish Vickery Meadow Public Improvement District.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2476

Item 54: A public hearing to receive citizens' comments on the proposed FY 2003-04 Community Development Block Grant Reprogramming Budget - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the proposed FY 2003-04 Community Development Block Grant Reprogramming Budget:

Albert Parker, P.O. Box 240
Roy Williams, 5881 Preston View Blvd.
William Hopkins, 2011 Leath St.
Marvin Crenshaw, 5134 Malcolm X Blvd.
Taylor Brannon, 3708 Colonial Ave.
Frank Ward, P.O. Box 50694
Jurline Hollins, 2832 Marjorie Ave.

Mayor Pro Tem Loza moved to close the public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2477

Item 55: A public hearing to receive citizens' comments on the proposed sale of park land located at 5006 Columbia Avenue consisting of approximately 5,834 square feet being part of the Columbia Avenue/Abrams Road Triangles - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the proposed sale of park land:

William Hopkins, 2011 Leath St.
Steve Miller, 4414 McFarland

Mayor Pro Tem Loza moved to close the public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2478

Item 56: 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 re-nominations received for city board and commission appointments for the 2003-2005 board term updated through September 10, 2003.

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

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, 2005.

Motion seconded by Councilmember Chaney and unanimously adopted.

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

03-2491	MLB	MUNICIPAL LIBRARY BOARD
03-2492	PAR	PARK AND RECREATION BOARD
03-2493	SAC	SENIOR AFFAIRS COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2479

Item 57: Authorize hardship relief for Pinnacle Dallas Industrial Inc. on property at 3631 West Davis Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for certain uses adopted by the City Council on March 26, 2003 by Resolution No. 03-1021, and extended on June 25, 2003 by Resolution No. 03-1893 - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2480

Item 58: First reading of the appropriation ordinances for the proposed FY 2003-04 City of Dallas Operating, Grants and Trusts and Capital budgets - Financing: No cost consideration to the City

No one addressed the city council regarding the proposed FY 2003-04 City of Dallas Operating, Grants and Trusts and Capital budgets:

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2481

Item 59: Authorize the Dallas Housing Finance Corporation to make an exception to its Multifamily Program guidelines to allow for the financing of the new construction of multifamily units for working families located on the west side of Old Hickory Trail and Beckleymeade for new construction of the 280-unit Rose Court at Thorntree Apartments in the face amount not to exceed \$15,000,000 in tax-exempt bonds and approximately \$1,600,000 in taxable bonds for the benefit of Old Hickory Tract D, Limited Partnership whose General Partner will be an entity initially owned by Leon J. Backes - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Charlette Compton, 3709 Pomeroy Dr.

David Marquis, 3110 W. Kiest Blvd., representing Southwest Dallas Neighborhood Association

Councilmember Chaney moved to defer the item until the September 24, 2003 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2482

Item 60: An ordinance abandoning an alley to HPI/GSA-2B, L.P. the abutting owner, containing approximately 4,555 square feet of land located near the intersection of Akard and Wood Streets, and authorizing the quitclaim - Revenue: \$147,127 plus the \$20 ordinance publication fee

Mayor Pro Tem Loza moved to defer the ordinance until the October 8, 2003 voting agenda meeting of the city council.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2483

Closed Session

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

- City of Dallas v. K. Cho Investment, Inc., Sang Hyun Cho, and Gwibin, Inc. Cause No. 02-04154
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H
- Jill Muncy, et al. v. City of Dallas, et al., Civil Action No. 3:99-CV-2960-P consolidated with Robert Jackson, et al. v. City of Dallas, et al., Civil Action No. 3:00-CV-588-H
- Legal issues involving hearing requested by Terrell Bolton pursuant to Chap. VI'2(1) of the Dallas City Charter

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.)

- City of Dallas v. K. Cho Investment, Inc., Sang Hyun Cho, and Gwibin, Inc. Cause No. 02-04154
- City of Dallas v. Explorer Pipeline Co., et al., Cause No. 00-9678-H
- Jill Muncy, et al. v. City of Dallas, et al., Civil Action No. 3:99-CV-2960-P consolidated with Robert Jackson, et al. v. City of Dallas, et al., Civil Action No. 3:00-CV-588-H
- Legal issues involving hearing requested by Terrell Bolton pursuant to Chap. VI'2(1) of the Dallas City Charter

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2484

Addendum addition 1: Authorize (1) the rejection of bids received for an efficiency study of the Dallas Police and Fire Departments, and (2) 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

September 10, 2003

03-2485

Addendum addition 2: Authorize settlement of a lawsuit styled Betty Compton v. Gregory Godfrey and City of Dallas, Cause No. cc-03-01690-d - \$13,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2486

Addendum addition 3: Authorize settlement of a lawsuit styled Larry Britton, Ricardo Campbell, Charles Ledbetter, Larry Litton, Nick Novello, Perry Skidmore, Lisa Connaway, Ronnie Benedict, Ronald Hubner, and Melvin Thomas v. Dallas Police & Fire Pension System, Dallas Park Ranger Department, City of Dallas, Dallas Police Department, City of Dallas Employee Retirement Fund, and City of Dallas Civil Service Board, Cause No. 03-01152-J in the 191st District Court of Dallas County, Texas - \$62,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2487

Addendum addition 4: Authorize application for and acceptance of the Congressionally Mandated Award administered by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the expansion of the A.C.T.I.O.N. Team - Community Prosecution for the period of October 1, 2003 through March 31, 2005 and execution of the grant agreement - Not to exceed \$596,100 - Financing: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2488

Addendum addition 5: An ordinance amending Section 45-3.10 of the Dallas City Code designating when a taxicab driver must display a taxicab driver's license; and providing a penalty - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25365.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2489

Addendum addition 6: Authorize (1) the proposed private resale and conveyance by quitclaim deed of 8 unimproved properties from Dallas City Homes, Inc., to Operation Relief Center, Inc., (2) acceptance of Land Transfer Proposals from Operation Relief Center, Inc. for the properties, (3) an amendment to Deed Restrictions for the properties, and (4) a development loan agreement with Operation Relief Center, Inc. for lot acquisition costs associated with the development of a minimum of fourteen new affordable houses within the Rochester Park area - Not to exceed \$75,000 - Financing: 1993-94 HOME Funds

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 2003

03-2490

Addendum addition 7: Confirm the sale of eleven pieces of landfill equipment, sold at public auction to the highest bidders on August 26, 2003 (list attached) -
Revenue: \$362,000

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 10, 2003

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS