

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2003

03-3050

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 9:12 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 8:21 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2003

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2003

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3051

CITIZEN SPEAKERS

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

OPEN MICROPHONE - BEGINNING OF MEETING

SPEAKER: Roy Williams, 5881 Preston View Blvd. **NO SHOW**
REPRESENTING: Dallas County Green Party
SUBJECT: False prophets of recall, Cadillac Heights

SPEAKER: Albert Park, P.O. Box 240
REPRESENTING: John Q. Public
SUBJECT: City Council umpire the Mayor

SPEAKER: Dewayne Dallas, 6266 St. Albans Dr.
SUBJECT: Know how and do how

SPEAKER: Eva Minor-Jones, 2333 Eugene St. **NO SHOW**
SUBJECT: Code compliance inspector

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: Citizens Organized for Representative Democracy
SUBJECT: Citizen's card

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Michael Simmons, 215 Lawrence St. **DID NOT CALL NAME**
SUBJECT: Theft of services by City of Dallas Housing Department

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Perry Forshee, 3916 Pine St. **DID NOT CALL NAME**
SUBJECT: Constant harassment by two Dallas Police officers

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

SPEAKER: William Hopkins, 2011 Leath St.

SUBJECT: This Black Jesus, the conspiracy and the world's best kept secret

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3052

Item 1: Approval of Minutes of the October 22, 2003 City Council Meetings

Councilmember Oakley moved to approve the minutes as corrected by Councilmember Greyson. Councilmember Greyson stated that on consent zoning docket item 53, she did not request the item as an individual hearing.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3053

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-61 and addendum addition consent agenda items 1-11, was presented for consideration.

Councilmember Rasansky requested that consent agenda items 16, 20 and 44 be considered as individual items. Mayor Miller stated that consent agenda items 16, 20 and 44 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman requested that consent agenda item 53 and addendum addition items 7, 10 and 11 be considered as individual items. Mayor Miller stated that consent agenda item 53 and addendum addition items 7, 10, 11 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Greyson requested that consent agenda items 40, 42, 53 and 56, and addendum additions 1 and 10 be considered as individual items. Mayor Miller stated that addendum additions 1 and 10 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

The city secretary requested that addendum addition 2 be considered as an individual item because citizens had requested to speak on the 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 the city secretary's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 16, 20, 32, 40, 42, 44, 53 and 56 and addendum addition items 1, 2, 7, 10, and 11 which would be considered later in the meeting.

Motion seconded by Councilmember Garcia.

Later in the meeting, Councilmember Lill moved to reconsider the vote on the consent agenda to remove consent agenda item 55 to be considered as an individual item.

Motion seconded by Councilmember Rasansky.

Councilmember Blaydes 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 later in the meeting, there being no objection voiced to Councilmember Blaydes' request.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-3053

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Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 16, 20, 32, 40, 42, 44, 53, 55 and 56 and addendum addition items 1, 2, 7, 10, and 11 which would be considered later in the meeting.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3054

Item 2: Authorize a contract for repairs of concrete, replacement of concrete masonry unit walls and installation of a protective thermal lining system at the Fire Training Center Burn Building located at 5000 Dolphin Road - Mart, Inc., lowest responsible bidder of five - \$148,800 - Financing: DCCD El Centro Fire Academy Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3055

Item 3: Authorize an increase in the contract with Henneberger Construction, Inc. for the installation of portable toilet enclosure and dumpster screen on concrete slab and installation of concrete wheelstops in the parking lot at Jaycee/Zaragoza Recreation Center - \$26,902, from \$152,671 to \$179,573 - Financing: 2001-02 Community Development Grant Funds (\$1,000) and 2002-03 Urban Development Action Grant Funds (\$25,902)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3056

Item 4: Authorize Supplemental Agreement No. 4 to the contract with The Hillier Group for additional architectural services for the replacement of Fire Station No. 34 located at Lake June Road and Carbona Drive - \$27,226, from \$202,150 to \$229,376 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3057

Item 5: Authorize a net decrease in the contract with Ascom Transport Systems for adjustments to the installation of security cameras and assistance stations at the Love Field Parking Garage - (\$11,944), from \$1,871,455 to \$1,859,511, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3058

Item 6: Authorize Supplemental Agreement No. 7 to the contract with DSGN Associates, Inc. for the design and renovation of Audelia Road and Dallas West Branch Libraries to provide additional design services for an overflow parking lot at the Audelia Road Branch Library - \$21,250, from \$410,095 to \$431,345 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3059

Item 7: Authorize Supplemental Agreement No. 1 to the contract with Milton Powell & Partners for the design of the Lancaster Kiest Branch Library to provide fundamental and building commissioning and a building systems training video budget to achieve a Leadership in Energy and Environmental Design Silver Certification - \$23,200, from \$395,620 to \$418,870 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3060

Item 8: Authorize a decrease in the contract with L. D. Kemp Excavating, Inc. for Cell 5 construction at the McCommas Bluff Landfill for miscellaneous work related to modifications to perimeter road work and resequencing the construction of waste cell 5 - (\$17,770), from \$3,190,986 to \$3,173,216 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3061

Item 9: Authorize an increase in the contract with All-Tex Paving, Inc., for asphaltic concrete street resurfacing, restoration and rehabilitation to increase the contract quantities for removal of concrete, drive, apron and additional concrete repairs - \$163,163, from \$3,210,498 to \$3,373,661 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3062

Item 10: Authorize an increase in the contract with BAR Constructors, Inc. to replace a leaky 500 foot segment of a 48-inch water main during the construction activities related to the Bachman Water Treatment Plant Low Service Pump Station - \$224,577, from \$15,373,482 to \$15,598,059 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3063

Item 11: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for work associated with the Central Wastewater Treatment Plant odor control improvements for Dallas Plant headworks - \$205,675, from \$3,585,000 to \$3,790,675 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3064

Item 12: Authorize (1) rescinding the contract with Perma Systems General Contractors, Inc., previously authorized on June 11, 2003 by Resolution No. 03-1667, for the renovation of the Winfrey Point Building and Dreyfuss Club Building at White Rock Lake Park, and (2) a contract with Mart, Inc., for the renovation of the Winfrey Point Building and Dreyfuss Club Building at White Rock Lake Park - \$271,496 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3065

Item 13: Authorize Amendment No. 1 to the Interlocal Agreement with the Texas Department of Transportation for design and construction of landscaping and urban design improvements at the intersection of Harry Hines Boulevard and Royal Lane - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3066

Item 14: Authorize payment to Dallas County for the City's share of design of paving and drainage improvements on Linfield Road from Illinois Avenue to SH 310 - \$170,000
- Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3067

Item 15: Authorize payment to Dallas County for the City's share of design of paving, drainage, water and wastewater main improvement on Jim Miller Road from Loop 12 to Elam Road - \$256,531 - Financing: 1998 Bond Funds (\$230,000), Water Utilities Capital Improvement Funds (\$26,531)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3068

Item 16: An ordinance abandoning a portion of Calleja Way to George B. Ryan and Amanda S. Ryan, the abutting owners, containing approximately 4,722 square feet of land located near its intersection with Strait Lane, and authorizing the quitclaim - Revenue: \$72,248 plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 16 be considered as an individual item. Mayor Miller stated that consent agenda item 16 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 16 was brought up for consideration.

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

“To increase the revenue from \$72,248 to \$82,248”

Motion seconded by Councilmember Blaydes and unanimously adopted.

Assigned ORDINANCE NO. 25428.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3069

Item 17: Authorize a two-year contract with El Centro Community College for reimbursement of Fire Department training costs from September 1, 2003 through August 31, 2005 - Revenue: \$400,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3070

Item 18: Authorize a thirty-six-month contract with Dallas/Fort Worth International Airport to provide basic, live fire drills and advanced specialized aircraft/fire training to aircraft-rescue firefighters at Dallas Love Field and Dallas Executive Airport - \$125,000 annually - Total not to exceed \$375,000 - Financing: Current Funds (to be reimbursed by Aviation Current Funds subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3071

Item 19: Authorize an amendment to the contract with Kronos Incorporated for (1) the purchase of 1,650 additional Kronos time clock software licenses/maintenance, for employee time entry into the Human Resources Information System, and (2) professional services for onsite software upgrades and technical training - Not to exceed \$139,823 - Financing: Current Funds (\$65,689) and Water Utilities Capital Construction Funds (\$74,134)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3072

Item 20: Authorize a sixty-month service contract for the collection of delinquent City accounts with the highest responsible bidder of ten - Penn Credit Corporation - Estimated Annual Revenue: \$4,446,441 - Water Utilities Current Funds (\$4,041,815), Current Funds (\$303,246), Aviation Current Funds (\$101,380)

Councilmember Rasansky requested that consent agenda item 20 be considered as an individual item. Mayor Miller stated that consent agenda item 20 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 20 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3073

Item 21: Authorize (1) the rejection of proposals received for a mainframe and computer information storage system and (2) the re-advertisement of new request for competitively bid proposals - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3074

Item 22: Authorize the rejection of bids received for laboratory testing services for narcotics, DNA and toxicology for the Dallas Police Department - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3075

Item 23: Authorize renewal of the Interlocal Agreement with Dallas County, acting through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis and other similar medical/forensic analytical services, provided to the Dallas Police Department and the Dallas Fire Department, for the period of November 1, 2003 through October 31, 2004 - \$2,030,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3076

Item 24: Authorize a twelve-month price agreement with Software House International, Inc., through the Department of Information Resources, State of Texas Cooperative contract, to purchase computer software products - Not to exceed \$2,000,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3077

Item 25: Authorize the purchase of thirteen Oracle 9i enterprise edition software licenses, seven real application cluster licenses, sixty months of product updates and telephone support, and 24 days (annually) of on-site support all from Oracle Corporation through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed \$1,933,499 - Financing: 2002 Equipment Acquisition Contractual Obligation Notes (\$277,096), Current Funds (\$1,656,403) (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3078

Item 26: Authorize the purchase of three Sky Watch mobile surveillance towers from New Heights Manufacturing, Inc. - Sole Source - Not to exceed \$117,511 - Financing: 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

November 12, 2003

03-3079

Item 27: Authorize a twenty-four-month price agreement for metal barricades with the lowest responsible bidders of ten – FDC Signs and Lighting Co. and Dyna Engineering, Ltd.
– Not to exceed \$128,000 – Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3080

Item 28: Authorize a thirty-six-month price agreement for pavement repairs throughout the city – Northern Pipeline Construction Co., lowest responsible bidder of four - \$10,414,000 – Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3081

Item 29: Authorize settlement of a lawsuit styled Charlene Partney v. City of Dallas and John Hancock, Cause No. cc-02-02234-a - \$30,000 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3082

Item 30: Authorize settlement of a lawsuit styled Estate of Shane G. Sorrells, et al., v. City of Dallas, Civil Action No. 3:99-CV-1185-P - \$575,000 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3083

Item 31: Authorize the City Auditor's 2003-04 Annual Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 – Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3084

Item 32: A resolution adopting the Cedars TIF District Transportation and Traffic Study as a policy directive for the City Manager and all city departments – Financing: No cost consideration to the City

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

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

Mayor Pro Tem Loza moved to approve the item with the following change:

- “1. Deleted the recommendation that Harwood Street be closed (Short-term Improvement #4 for Year 2015).
2. Add the recommendation that when Alexander Street is extended to Beaumont Street between Cockrell and Austin Streets that the new street be designated with a single name (an addition to Recommended Short-Term Improvement #7 for Year 2015).”

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3085

Item 33: Authorize Supplemental Agreement No. 1 exercising the first renewal option to the contract with SER Child Development Center to continue the implementation of the Proyecto Training Apprenticeship Program, a three-year pilot job training program for low to moderate income persons already working in the child care industry to provide the opportunity to seek further training, career advancement, better wages, and to address those needs related to early child development and education for young children for a twelve-month period from November 1, 2003 through October 31, 2004 – Not to exceed \$120,000 – Financing: 2003-04 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3086

Item 34: An ordinance authorizing a correction to Ordinance No. 25346 for an R-5(A) Single Family District on the south side of Edd Road west of Kleberg Road to correct the property description (Z023-182) – Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25429.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3087

Item 35: **City Center TIF District**

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

- . * Authorize (1) a development agreement with Main Street Investors Joint Venture to provide for the funding of environmental remediation, demolition, façade improvements, and streetscape improvements related to the redevelopment of 1520-1522 Main Street in Tax Increment Financing Reinvestment Zone Five City Center TIF District in an amount not to exceed \$203,282; (2) the establishment of appropriations in the amount of \$203,282 in the City Center TIF District Fund; and (3) a deadline extension for project completion from December 31, 2003 to March 31, 2004, related to the original scope of 1520-1522 Main Street – Total not to exceed \$203,282 – Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund)

Item 36:* A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five City Center TIF District to reimburse Main Street Investors Joint Venture for funds advanced pursuant to a development agreement between the City and Main Street Investors Joint Venture in an amount not to exceed \$203,282, plus interest, for environmental remediation, demolition, façade improvements, and streetscape improvements related to the redevelopment of 1520-1522 Main Street in the 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

November 12, 2003

03-3088

Item 37: **Cityplace TIF District**

Note: Item Nos. 37 and 38 must be considered collectively.

- * Authorize (1) a development agreement with Oak Creek Partners, LTD., for the funding of design and construction of the partial realignment of Cityplace West Boulevard to allow the construction of Unity Plaza as the link for the Cityplace DART Light Rail Station and the McKinney Avenue Trolley at the intersection of Central Expressway and Cityplace West Boulevard in Tax Increment Financing Reinvestment Zone Number Two, Cityplace Area TIF District; and (2) the establishment of appropriations in an amount not to exceed \$530,000 in the Cityplace Area TIF District Fund - \$530,000 - Financing: Cityplace Area TIF District Funds (to be advanced by a private developer and reimbursed with accrued interest from Cityplace Area TIF District Funds)

Item 38:* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, Cityplace Area TIF District, to reimburse Oak Creek Partners, LTD., for the funds advanced pursuant to a development agreement between the City of Dallas and Oak Creek Partners, LTD., in an amount not to exceed \$530,000 plus interest, for the partial realignment of Cityplace West Boulevard to allow the construction of Unity Plaza as the link for the Cityplace DART Light Rail Station and the McKinney Avenue Trolley at the intersection of Central Expressway and Cityplace West Boulevard in Tax Increment Financing Reinvestment Zone Number Two, Cityplace Area TIF District Funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3089

Item 39: Authorize a professional services contract with Temporary Medical Staffing, Inc., to provide a phlebotomist to obtain blood specimens for lead screening for residents of the City of Dallas for the period January 1, 2004 through December 31, 2004 - Not to exceed \$36,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3090

Item 40: Authorize (1) an Interlocal Agreement with Dallas County to provide aerial spraying and (2) adoption of the City's mosquito control plan with modifications to include allowance for aerial spraying - Financing: No cost consideration to the City

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

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

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 511.071 of the Texas Government Code.

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

Councilmember Greyson moved to separate the vote on Part 1 and 2.

Motion seconded by Mayor Pro Tem Loza.

Councilmember Greyson moved to approve Part 1.

Motion seconded by Councilmember Chaney and unanimously adopted.

Councilmember Finkelman moved to approve Part 2.

Motion seconded by Councilmember Lill.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3091

Item 41: Authorize amendments to Resolution No. 03-2191 and Resolution No. 03-2153 previously approved on August 13, 2003 to (1) revise the allocation of funds for the HOME Investment Partnership Tenant-Based Rental Assistance Program to include eligible administrative costs and (2) revise the Interlocal Agreement with Dallas County to include administrative costs - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3092

Item 42: Authorize the Dallas Housing Finance Corporation to provide financing of the new construction of Preakness Ranch Apartments, consisting of 264 multifamily units for working families to be located at the southwest corner of Preakness Lane and Polarity Lane in an amount not to exceed \$15,000,000 in tax-exempt bonds for the benefit of FDC Franklin Commons C, Ltd., Limited Partnership whose General Partner will be an entity initially owned by Aubra Franklin - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 42 be considered as an individual item. Mayor Miller stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, agenda item 42 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3093

Item 43: Authorize (1) the final adoption of the FY 2001-02 Consolidated Plan Reprogramming Budget #2 for U.S. Department of Housing and Urban Development Grant Funds to (a) reprogram \$72,400 of HOME Grant Funds from Lot Acquisition Pilot Program mortgage assistance to Lot Acquisition Pilot Program land acquisition and (b) reprogram \$489,204 of Community Development Block Grant Funds from Lot Acquisition Pilot Program mortgage assistance to Neighborhood Investment Program public improvements; (2) reprogramming \$922,400 of Walker Trust Funds interest earnings from Lot Acquisition Pilot Program land acquisition to the Neighborhood Investment Program; and (3) one salaried position for a NIP Home Rental Repair Inspector - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3094

Item 44: Authorize (1) establishment of a Minor Rental Repair Program to provide loans up to \$5,000 for the exterior repair of single-family renter-occupied housing; and (2) the Program Statement for implementation in Neighborhood Investment Program Target Areas - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 44 be considered as an individual item. Mayor Miller stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 44 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

Councilmember Lill moved to substitute for Councilmember Chaney's motion to send the item back to the Housing and Neighborhood Services for further review.

Motion seconded by Councilmember Finkelman.

After discussion, Councilmember Chaney withdrew his original motion.

Mayor Miller stated that the original motion was withdrawn, there being no objection raised to Councilmember Chaney's request, and that Councilmember Lill's substitute motion was the only motion on the table for debate.

After discussion, Mayor Miller called the vote on Councilmember Lill's motion to send the item back to the Housing and Neighborhood Services for further review.

Mayor Miller declared the motion to send the item to Housing and Neighborhood Services for further review was unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3095

Item 45: Authorize renewal of the personal services contract with Kwame Walker & Associates for state legislative services from November 13, 2003 through November 12, 2004 - Not to exceed \$40,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3096

Item 46: Authorize renewal of the personal services contract with Randy C. Cain for state legislative services from November 13, 2003 through November 12, 2004 - Not to exceed \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3097

Item 47: Authorize renewal of the personal services contract with Barbara T. McCall Associates, Inc. for federal legislative services for the City of Dallas from November 13, 2003 through November 12, 2004 - Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3098

Item 48: **Trinity River Project Legislative Services**

Note: Item Nos. 48 and 49 must be considered collectively.

- * Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Project from December 13, 2003 through December 12, 2004 - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3099

Item 49: **Trinity River Project Legislative Services**

Note: Item Nos. 48 and 49 must be considered collectively.

- * Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Project from December 13, 2003 through December 12, 2004 - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3100

Item 50: Authorize adoption of the City=s Investment Policy regarding funds under the City=s control and the investment strategies for each of the funds under the City=s management - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3101

Item 51: Authorize payment of annual fees and continuation of arrangements for providing specialized municipal-related services to the City - Airports Council International (\$23,568), American Water Works Association (\$15,370), American Water Works Association Research Foundation (\$255,000), Association of Metropolitan Water Sewage Agencies (\$20,978), Dallas Regional Mobility Coalition (\$37,500), National League of Cities (\$28,444), North Central Texas Council of Governments (\$121,100), North Texas Commission (\$102,705), Public Technology, Inc. (\$33,000), Regional Storm Water Management Program of North Central Texas (\$30,300), Texas Coalition of Cities For Utility Issues (\$35,657), Texas Municipal League (\$44,550), Transportation Excellence for the 21st Century (\$25,000), Trinity River Common Vision (\$44,000), United States Conference of Mayors (\$40,487) Water Environment Research Foundation (\$85,000) - Total not to exceed \$942,659 - Financing: Aviation Current Funds (\$23,568), Current Funds (\$440,038), Public/Private Partnership Funds (\$102,705), and Water Utilities Current Funds (\$376,348)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3102

Item 52: Authorize twelve-month contracts with Dallas Arboretum and Botanical Society, Inc. (\$342,050) and Texas Discovery Gardens (\$88,645) to provide services and programs within the City of Dallas for the period October 1, 2003 through September 30, 2004
- Total not to exceed \$430,695 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3103

Item 53: Authorize an amendment to the Joint Recreational Facilities Agreement with the Town of Sunnyvale for the remaining 129.19 acres of Samuell Farm North property - Financing: No cost consideration to the City

Councilmembers Finkelman and Greyson requested that consent agenda item 53 be considered as an individual item. Mayor Miller stated that consent agenda item 53 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Finkelman and Greyson's request.

Later in the meeting, agenda item 53 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3104

Item 54: Authorize (1) the acceptance of the 2003 Omnibus Appropriations Local Law Enforcement Block Grant in the amount of \$2,026,222 to provide law enforcement activities and equipment from the U. S. Department of Justice, Bureau of Justice Assistance for a twenty-four month period, (2) a local match in the amount of \$225,136, and (3) execution of the grant agreement - Total not to exceed \$2,251,358 - Financing: U. S. Department of Justice, Bureau of Justice Assistance Grant Funds (\$2,026,222) and Current Funds (\$225,136)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3105

Item 55: Authorize (1) the acceptance of the Public School Child Abuse Response Team/5 grant in the amount of \$22,200 from the Office of the Governor, Criminal Justice Division to coordinate with the Dallas Independent School District to investigate child abuse complaints, for the period October 1, 2003 through August 31, 2004, (2) a local match in the amount of \$125,348 and (3) execution of the grant agreement - Total not to exceed \$147,548 - Financing: Current Funds (\$125,348), and Office of the Governor, Criminal Justice Division State Grant Funds (\$22,200)

Councilmember Blaydes 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 later in the meeting, there being no objection voiced to Councilmember Blaydes' request.

Later in the meeting, agenda item 55 was brought up for consideration.

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.

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Blaydes abstain; Hill, Griffith absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3106

Item 56: Authorize (1) the application for and acceptance of the 2003-04 Intersection Traffic Control Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation in the amount of \$250,992 for the period October 1, 2003 through September 30, 2004, (2) a local match in the amount of \$539,825, and (3) execution of the grant agreement - Total not to exceed \$790,817 - Financing: Texas Department of Transportation Grant Funds (\$250,992), Current Funds (\$387,842) and In-Kind Contributions (\$151,983)

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

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

Councilmember Greyson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3107

Item 57: Authorize (1) the application for and acceptance of the Impaired Driving Mobilization State Traffic Enforcement Program Overtime Enforcement grant in the amount of \$25,000 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign, for the period December 19, 2003 through January 4, 2004, (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$7,055, and (3) execution of the grant agreement - Total not to exceed \$32,055 - Financing: Current Funds (\$7,055) and Texas Department of Transportation Grant Funds (\$25,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3108

Item 58: Authorize (1) the application for and acceptance of the Polaris Update Grant in the amount of \$124,092 from the Texas Department of Transportation for a Crash Records Database Update, for the period October 1, 2003 through September 30, 2004 (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$22,521, and (3) execution of the grant agreement - Total not to exceed \$146,613 - Financing: Current Funds (\$22,521) and Texas Department of Transportation Grant Funds (\$124,092)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3109

Item 59: Authorize (1) the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant in the amount of \$43,000 from the Texas Department of Transportation for a seat belt enforcement initiative, for the period November 8, 2003 through December 31, 2003, (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$12,134, and (3) execution of the grant agreement - Total not to exceed \$55,134 - Financing: Current Funds (\$12,134) and Texas Department of Transportation Grant Funds (\$43,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3110

Item 60: Authorize (1) the application for and acceptance of the 2003-04 Safe and Sober Selective Traffic Enforcement Program grant in the amount of \$600,000 for traffic related activities from the Texas Department of Transportation for the period October 1, 2003 through September 30, 2004, (2) a local match in the amount of \$339,540 and (3) execution of the grant agreement - Total not to exceed \$939,540 - Financing: Texas Department of Transportation Grant Funds (\$600,000), Current Funds (\$166,458) and In-Kind Contributions (\$173,082)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3111

Item 61: Authorize renewal of the forty-eight-month Interlocal Agreement with Dallas County to provide the Dallas Police Department with a Certified Technical Supervisor to direct and maintain the Police Department's Breath Alcohol Testing Program to verify alcohol levels of suspects who may be driving while intoxicated for the period October 1, 2003 through September 30, 2007 - Not to exceed \$9,999 annually - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3112

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 62-67, was presented.

Agenda items 64 and 66 were removed from the consent zoning docket, to be considered as individual hearings.

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

- Agenda item 62: Zoning Case Z023-236 (MJF)
- Agenda item 63: Zoning Case Z023-252 (WE)
- ~~Agenda item 64: Zoning Case Z023-261 (MJF)~~ **[Considered individually]**
- Agenda item 65: Zoning Case Z023-281 (RB)
- ~~Agenda item 66: Zoning Case Z023-282 (RB)~~ **[Considered individually]**
- Agenda item 67: Zoning Case Z023-287 (RB)

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 consent zoning case Z023-282 (RB):

William Hopkins, 2011 Leath St.

Councilmember Oakley 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3113

Item 62: Zoning Case Z023-236 (MJF)

Zoning Case Z023-236 (MJF), an application for and an ordinance granting a Specific Use Permit for a Community Service Center on property zoned an MF-2(A) Multifamily District on property located south of Washington Avenue between Mayo Street and Cochran Place.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25430.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3114

Item 63: Zoning Case Z023-252 (WE)

Zoning Case Z023-252 (WE), an application for and an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District, on the east side of Garrett Avenue, north of Ross Avenue with consideration given to a P(A) Parking District.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25431.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3115

Item 64: Zoning Case Z023-261 (MJF)

The consent zoning docket, consisting of agenda items 62-67, was presented.

Councilmember Fantroy requested that consent zoning docket item 64 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 64 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

A public hearing was called on zoning case Z023-261 (MJF), an application for and an ordinance granting an R-5(A) Single Family District with deed restrictions volunteered by the applicant and retention of the D-1 Liquor Control Overlay on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the north line of the C.F. Hawn Freeway, east of St. Augustine Road and west of Bayshore Place and a resolution accepting deed restrictions volunteered by the applicant.

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

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

Paul Conant, 527 Bayshore Pl.

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

Karl Crawley, 500 S. Ervay St.

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

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Assigned ORDINANCE NO. 25432.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3116

Item 65: Zoning Case Z023-281 (RB)

Zoning Case Z023-282 (RB), an application for and an ordinance granting an R-7.5(A) Single Family District on property within the Subdistrict 2 portion of Planned Development District No. 535-D-1, the C. F. Hawn Special Purpose District No. 3 with a D-1 Liquor Control Overlay, located on the southwest corner of Rylie Crest Boulevard and Laramie Lane and a resolution accepting deed restrictions volunteered by the applicant

(The city plan commission recommended approval, with retention of the D-1 Liquor Control Overlay subject to deed restrictions volunteered by the applicant.)

Approved as part of the consent zoning docket

Assigned ORDINANCE NO. 25433.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3117

Item 66: Zoning Case Z023-282 (RB)

The consent zoning docket, consisting of agenda items 62-67, was presented.

Councilmember Lill requested that consent zoning docket item 66 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 66 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Lill's request.

A public hearing was called on zoning case Z023-282 (RB), an application for and an ordinance granting the renewal of Specific Use Permit No. 1299 for a Child-care facility and Private school on property zoned an MF-2 Multifamily District on the east corner of Bryan Street and Munger Boulevard.

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

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

The following individual addressed the city council regarding zoning case Z023-282 (RB):

William Hopkins, 2011 Leath St.

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

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Assigned ORDINANCE NO. 25434.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3118

Item 67: Zoning Case Z023-287 (RB)

Zoning Case Z023-287 (RB), an application for an R-5(A) Single Family District on property zoned an R-7.5(A) Single Family District on the south side of Catskill Street, west of Cheyenne Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3119

Item 68: Public Hearing – Zoning Case Z023-269 (MM)

A public hearing was called on zoning case Z023-269 (MM), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-16(A) Single Family District on the north side of LBJ Freeway, west of Ridgeview Circle and east of Hughes Lane.

(The city plan commission recommended approval, for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions. This item was considered by the City Council at a public hearing on October 8, 2003, and was taken under advisement until November 12, 2003, with the public hearing open.

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

Tom Winslick, 6747 Ridgeview Cir.

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

Sterling McMath, 11830 Webb Chapel, representing T-Mobile

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

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3120

Item 69: Public Hearing – Zoning Case Z023-264 (RB)

A public hearing was called on zoning case Z023-264 (RB), an application for a Planned Development District for RS MU-E Regional Service Mixed Use (Enhanced) Uses on property zoned an RS-MU Regional Service Mixed Use Subdistrict and an RS-MU(E) Regional Service Mixed Use (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on Third Avenue between R. L. Thornton Freeway and Ash Lane.

(The city plan commission recommended approval subject to a development/landscape plan and conditions. This item was considered by the City Council at a public hearing on October 22, 2003, and was taken under advisement until November 12, 2003, with the public hearing open.)

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

Chuck Russell, 6350 LBJ Frwy.

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

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

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3121

Item 70: 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, August 13, and September 10, 2003, and was taken under advisement until November 12, 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.

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

Bill Dahlstrom, 901 Main St., representing the applicant

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

Councilmember Salazar moved to postpone the application until the June 23, 2004 voting meeting of the city council and to continue the public hearing at that time.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Blaydes abstain)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3122

Item 71: Public Hearing - DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing was called on consideration of an amendment to Chapter 51 and 51A of the Dallas Development Code regarding the number of guest rooms related to the specific use permit requirement for a hotel or motel use and an ordinance granting the amendment.

(The city plan commission recommended pending.)

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

Frank P. Hernandez, 716 Wayne St.
Sanjay Patel, 1015 Ft. Worth Ave.
Marcell M. Weiner, 8300 Douglas Ave.
Bharat Kumar Patel, 2600 S. Central Expy.
Vijay Sharma, 508 S. Marsalis Ave.
Sandra Crenshaw, 3810 Quartet Ave.

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

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

Motion seconded by Councilmember Lill.

Councilmember Salazar moved to substitute for Councilmember Chaney's motion to send the item back to the Public Safety Commission.

Motion seconded by Councilmember Blaydes.

After discussion, Mayor Miller called the vote on Councilmember Salazar's substitute motion:

Voting Yes: [3] Salazar, Blaydes, Greyson
Voting No: [12] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Chaney,
Fantroy, Griffith, Finkelman, Rasansky, Lill

Mayor Miller declared the motion failed.

Mayor Miller then called the vote on the original motion:

Voting Yes: [15] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar,
Chaney, Fantroy, Griffith, Finkelman, Greyson, Rasansky, Lill
Voting No: [0]

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25435.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3123

Private Sale of Unimproved Property

Note: Item Nos. 72 and 73 must be considered collectively.

- Item 72: * A public hearing to receive citizens' comments on the proposed private sale and conveyance by quitclaim deed of an unimproved property located at 1324 Coleman Avenue acquired by the taxing authorities from the Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization - Financing: No cost consideration to the City
- Item 73: * Authorize the private sale, as provided for by Section 253.010 of the Texas Local Government Code (Section 34.015 of the Texas Property Tax Code), and conveyance by quitclaim deed of an unimproved property located at 1324 Coleman Avenue acquired by the taxing authorities from a Sheriff's Sale to St. Philip's Neighborhood Development Corporation, a qualified non-profit organization - Revenue: \$1,053

Councilmember Chaney moved to close the public hearing and authorize the private sale.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3124

Item 74: A public hearing to receive citizens' comments on the proposed FY 2003-04 Consolidated Plan Reprogramming Budget #2 - Financing: No cost consideration to the City

No one addressed the city council regarding the proposed FY 2003-04 Consolidated Plan Reprogramming Budget #2:

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

November 12, 2003

03-3125

Item 75: 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 November 12, 2003.

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

Mayor Pro Tem Loza moved to appoint W. Brian Keith, Urban Planner, to the Landmark Commission, James F. Rogers, Citizen-at-Large, reappoint Jacqueline Marie Staley, Citizen-at-Large, Maury Karp, Citizen-at-Large, Robert S. Ekblad, Structural Engineer, Kathleen Ragsdale, Citizen-at-Large, and Donald J. Knox, Citizen-at-Large to the Urban Rehabilitation Standards Board, appoint Ian Shaw, Senior, Carter High School, Alison Goh, Junior, Ursuline Academy and reappoint Jesse Moreno, Senior, Woodrow Wilson High School, to the Youth Commission.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Councilmember Finkelman moved to reappoint Beverly Tobian, to the Urban Rehabilitation Standards Board Alternate Member.

Motion seconded by Councilmember Rasansky and unanimously adopted.

Mayor Pro Tem Loza moved to appoint Jesse Moreno, chair, to the Youth Commission.

Motion seconded by Councilmember Garcia and unanimously adopted.

Councilmember Lill moved to appoint Manny Alvarez, chair, to the Judicial Nominating Commission.

Motion seconded by Councilmember Salazar and unanimously adopted.

Councilmember Lill moved to appoint Karen Fling, vice chair, to the Animal Shelter Commission.

Motion seconded by Councilmember Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

03-3125

Page 2

Councilmember Finkelman moved to appoint Lynn E. Goldstein, vice chair, to the Municipal Library Board.

Motion seconded by Councilmember Rasansky and unanimously adopted.

Councilmember Greyson moved to appoint Mary Frances Hanson, vice chair, to the Senior Affairs Commission.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Mayor Pro Tem Loza 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 Rasansky and unanimously adopted.

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

03-3158	BOA	BOARD OF ADJUSTMENT
03-3159	EHC	ENVIRONMENTAL HEALTH COMMISSION
03-3160	LMC	LANDMARK COMMISSION
03-3161	MLB	MUNICIPAL LIBRARY BOAD
03-3162	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
03-3163	PAR	PARK AND RECREATION BOARD
03-3164	URS	URBAN REHABILITATION STANDARDS BOARD
03-3165	URX	URBAN REHABILITAITON STANDARDS BOARD
		ALTERNATES
03-3166	YAC	YOUTH COMMISSION
03-3167		Board Officers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3126

Item 76: Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for “non-residential” properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue until March 24, 2004 - Financing: No cost consideration to the City **(Requires a 3/4 vote of the full City Council for approval)**

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3127

Item 77: Authorize adoption of the 2004 City Calendar - Financing: No cost consideration to the City

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Loza, Griffith absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3128

Item 78: A resolution authorizing the City of Dallas to recognize the Matricula Consular Identification Card issued by the Mexican Government through its Consular Offices as an official identification card for Mexican citizens to use for services located within the City - Financing: No cost consideration to the City

Councilmember Garcia moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3129

Item 79: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

- * An ordinance authorizing the issuance and sale of \$173,370,000 City of Dallas, Texas General Obligation Bonds, Series 2003; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$385,515 - Financing: Bond Funds - Interest Earnings **(To be considered before 12:00 noon)**

Mayor Pro Tem Hill moved to approve the bond ordinance authorizing the issuance and sale of \$173,370,000 City of Dallas, Texas General Obligation Bonds, Series 2003 accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith to William R. Hough & Co., being the best bid.

Motion seconded by Councilmember Blaydes and unanimously adopted.

Assigned ORDINANCE NO. 25436.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3130

Item 80: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

- * An ordinance authorizing the issuance and sale of \$21,240,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2003; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$78,870 - Financing: 2003 Equipment Acquisition Contractual Obligations - Interest Earnings **(To be considered before 12:00 noon)**

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Blaydes.

Mayor Pro Tem Hill asked Councilmember Rasansky if he would accept a friendly amendment to his motion to approve the bond ordinance authorizing the issuance and sale of \$21,240,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2003; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith to Southwest Securities, Inc. being the best bid.

Councilmember Rasansky accepted the amendment as part of his motion.

Councilmember Blaydes who seconded the original motion, also accepted the amendment and unanimously adopted.

Assigned ORDINANCE NO. 25437.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3131

Item 81: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

- * Authorize payment to Dallas County for City of Dallas' participation in the design, right-of-way acquisition, and construction of paving, drainage, water and wastewater improvements on Clark Road from Couch Lane to Danieldale Road - \$940,000 - Financing: 2003 Bond Funds

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3132

Item 82: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

- * Authorize payment to Dallas County for the City's share of design and construction of paving, drainage, water and wastewater main improvements on Hillcrest Road from Northwest Highway (Loop 12) to Royal Lane - \$788,000 - Financing: 2003 Bond Funds (\$760,000), Water Utilities Capital Improvements Funds (\$28,000)

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3133

Item 83: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

- * Authorize payment to the Texas Department of Transportation for the design and construction of rehabilitation improvements to the Houston Street Viaduct from Hotel Street to Marsalis Avenue - \$2,859,000 - Financing: 2003 Bond Funds

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3134

Item 84: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

Burlington Northern and Santa Fe Railway Company Crossings **Note:** Item Nos. 84, 85, and 86
must be considered
collectively.

- . * Authorize an agreement with the Burlington Northern and Santa Fe Railway Company for the construction of railroad crossing improvements to the railroad crossing that intersects Cockrell Hill Road approximately 1,200 feet north of Kiest Boulevard - \$35,000 - Financing: 2003 Bond Funds

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Loza, Griffith absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3135

Item 85: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

Burlington Northern and Santa Fe Railway Company Crossings **Note: Item Nos. 84, 85, and 86**
must be considered collectively.

- * Authorize an agreement with the Burlington Northern and Santa Fe Railway Company for the construction of railroad crossing improvements to the railroad crossing that intersects Cockrell Hill Road approximately 750 feet south of Ledbetter Drive - \$35,000 - Financing: 2003 Bond Funds

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Loza, Griffith absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3136

Item 86: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

Burlington Northern and Santa Fe Railway Company Crossings **Note:** Item Nos. 84, 85, and 86 must be considered collectively.

- * Authorize an agreement with the Burlington Northern and Santa Fe Railway Company for the construction of railroad crossing improvements to the railroad crossing that intersects Westmoreland Road approximately 1,500 feet south of Ledbetter Drive - \$20,000 - Financing: 2003 Bond Funds

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Loza, Griffith absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3137

Item 87: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

Cockrell Hill Road Extension from IH 30 to La Reunion Boulevard **Note:** Item Nos. 87 and 88 must be considered collectively.

- * Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving and drainage improvements on Cockrell Hill Road extension from IH 30 to La Reunion Boulevard, including the connection to La Reunion Boulevard - \$2,381,000 - Financing: 2003 Bond Funds (\$1,261,000), Private Funds (\$1,120,000)

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3138

Item 88: **2003 Bond Funds and 2003 Equipment Acquisition Contractual Obligations**

Cockrell Hill Road Extension from IH 30 to La Reunion Boulevard **Note:** Item Nos. 87 and 88 must be considered collectively.

- * Authorize (1) a Participation Agreement with Petula Associates, Ltd. for the design and construction of paving and drainage improvements on Cockrell Hill Road extension from IH 30 to La Reunion Boulevard, including the connection to La Reunion Boulevard, (2) the receipt and deposit of funds from Petula Associates, Ltd. in an amount not to exceed \$1,120,000, and (3) an increase in appropriations in the amount of \$1,120,000 in the Capital Projects Reimbursement Fund - \$1,120,000 - Financing: Private Funds

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3139

Item 89: Authorize proposed Procedural Order No. 03-2-1-JR related to the posting of bail bonds by attorneys and the manner of taking a forfeiture of such bonds in the City of Dallas Municipal Court - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Procedural Order:

C. Victor Lander, 2014 Main St.

Steven Bell, 902 Pebblestone Cr., Cedar Hill, representing concerned parties

John Washington, 1134 Alicia Ln., Lancaster, representing Municipal Justice Bar Association – Dallas

Randall Scott, 9425 Springwater Dr.

Councilmember Salazar moved to refer the item back to the Governmental and Minority Affairs Committee and bring back to council in 90 days.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3140

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Performance Evaluation of City Manager Teodoro J. Benavides
- Performance Evaluation of City Attorney Madeleine B. Johnson
- Performance Evaluation of City Secretary Shirley Acy
- Performance Evaluation of City Auditor Thomas M. Taylor

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3141

Closed Session

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

- Legal issues involving Section 108 portfolio sales
- Legal issues involving MS4 Stormwater Permit
- Dallas Independent School District v. Calvary Hill Cemetery, et al.,
Cause No. 03-9682-D

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

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

- Legal issues involving Section 108 portfolio sales
- Legal issues involving MS4 Stormwater Permit
- Dallas Independent School District v. Calvary Hill Cemetery, et al.,
Cause No. 03-9682-D

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3142

Addendum addition 1: An ordinance amending Chapter 43 of the Dallas City Code to regulate markings used to show the location of existing underground utilities in the public right-of-way - Financing: No cost consideration to the City

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

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

Councilmember Greyson moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25438.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3143

Addendum addition 2: Authorize the rejection of bids for demolition and environmental remediation related to the redevelopment of the Dallas Power and Light buildings at 1506-1512 Commerce Street and the re-advertisement for new bids - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the rejection of bids:

Pamela Lopez, 3902 Lake Powell Dr., Arlington, representing Ingersoll Environmental Services

Rusty Wallace, 10500 Telephone Rd. Houston, representing Certified LVI Environmental Services Inc.

Jeff Galvan, 1802 American Elm Ct., Sugarland, representing Certified LVI Environmental Services Inc.

Councilmember Garcia moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Griffith absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3144

Addendum addition 3: Authorize a twenty-year lease agreement, plus two ten-year renewal options, with The Jet Center of Dallas, LLC of approximately 46,369 square feet of land, improved with an aircraft hangar and ramp at Dallas Executive Airport - Estimated Revenue: \$33,839 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3145

Addendum addition 4: Authorize a second amendment to the lease agreement with Garland Management Corporation, to renew, extend and amend the lease at 3306 W. Walnut, Suite 500 for the Women, Infants and Children Clinic for an additional eighty-four months from December 1, 2003 through November 30, 2010 - Not to exceed \$310,167 - 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

November 12, 2003

03-3146

Addendum addition 5: Authorize the rental of four billboards to promote WRR Radio for a twelve-month period from December 1, 2003 through November 30, 2004 with the lowest responsible bidder of three - Lamar Advantage Outdoor Company LP - Not to exceed \$72,000 - Financing: WRR Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3147

Addendum addition 6: Authorize settlement of a lawsuit, styled Fran Sharpe v. City of Dallas,
Cause No. 03-04673 - \$14,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3148

Addendum addition 7: An ordinance amending Chapter 31 of the Dallas City Code to create an offense for possessing a shopping cart at a location other than the premises of the retail establishment that owns the shopping cart, with certain defenses; to require a retail establishment to place identification on its shopping carts and a notice that possession of the shopping cart off of the premises of the retail establishment is an offense; and to establish a recovery fee - Financing: No cost consideration to the City

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

Later in the meeting, addendum addition 7 was brought up for consideration:

The following individuals addressed the city council regarding Chapter 31 of the Dallas City Code:

Bill Dickerson, 2000 Euclid Ave., representing Lowest Greenville West Neighborhood Association/Peak and Bryan Association.

Wayne Smith, 927 Liberty St., representing Bryan Place Neighborhood Association

Julian Peterson, 4203 Junius St.

Jim Rogers, 3208 Trevolle Pl.

Councilmember Lill moved to pass the ordinance.

Motion seconded by 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 Fantroy voting "No".

Assigned ORDINANCE NO. 25439.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3149

Addendum addition 8: Authorize (1) a second amendment to the contract with Texas Commission on Environmental Quality to accept additional grant funds to operate additional whole air samplers as part of the PM 2.5 air monitoring activities in Dallas, and; (2) execution of the grant agreement - Not to exceed \$260,131, from \$248,000 to \$508,131 - Financing: Texas Commission on Environmental Quality Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3150

Addendum addition 9: Authorize application for a grant from the Federal Emergency Management Agency to purchase smoke detectors to be installed in single-family dwellings and to provide fire prevention education to children - Not to exceed \$100,000 - Financing: Assistance for Firefighters Grant Funds (\$70,000) and Current Funds (\$30,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3151

Addendum addition 10: Authorize the issuance of tax-exempt bonds in an amount not to exceed \$60,500,000, by Housing Options, Inc., a public facilities corporation created by the Housing Authority of the City of Dallas to finance acquisition of 1,097 multifamily units to be owned by DHEOP, LLC - Financing: No cost consideration to the City

Councilmembers Finkelman and Greyson requested that addendum addition 10 be considered as an individual item. Mayor Miller stated that addendum addition 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Finkelman and Greyson's request.

Later in the meeting addendum addition 10 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Tim Lott, 3939 N. Hampton St., representing Dallas Housing Authority
Steve Sterquell, 2415 Crocket St., Amarillo, representing American Housing Foundation
Ann Lott, 3939 N. Hampton St., representing Dallas Housing Authority

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill.

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

Voting Yes: [13] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney,
Fantroy, Griffith, Finkelman, Greyson, Lill
Voting No: [2] Blaydes, Rasansky

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3152

Addendum addition 11: Authorize approval of the Floodplain Management Study, prepared by Freese and Nichols, Inc., for the Elm Fork of the Trinity River, Daniels and Wesco Creeks, and Richards Branch to adopt the flood control and recreational options recommended - Financing: No cost consideration to the City

Councilmember Finkelman requested that addendum addition 11 be considered as an individual item. Mayor Miller stated that addendum addition 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

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

Councilmember Finkelman moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3153

Addendum addition 12: Authorize settlement in lieu of proceeding further in condemnation for the acquisition of a 2.0164 acre tract of land for the extension of Houston Street and the realignment of Ross Avenue from Transcontinental Realty Investors, Inc., and authorize the conveyance of a driveway access easement - \$4,799,667 (in addition to \$4,075,333 previously deposited with the County Clerk of Dallas County) - Financing: 1995 Bond Funds (\$56,499), 1998 Bond Funds (\$1,293,168) and Center Operating Company, L.P. (\$3,450,000) in accordance with its Sports Arena TIF District obligations

Councilmember Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3154

Addendum addition 13: Authorize an economic development grant agreement with the University of Texas (\$25,000) and the University of Oklahoma (\$25,000) as approved by the South Dallas/Fair Park Trust Fund Board on September 16, 2003, to promote local economic development associated with the annual Texas/Oklahoma football game held at the Cotton Bowl in Fair Park - Total not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds (via Mayor Miller)

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3155

Addendum addition 14: Authorize (1) the acceptance of grant funds from the U.S. Department of Education to expand the Martin Luther King Community Technology Center program to include an educational project that will provide supplementary instructions in reading, language and mathematics to low-performing high school students throughout the City of Dallas for the period October 1, 2003 through September 30, 2004, and (2) execution of the grant agreement - Not to exceed \$403,409 - Financing: U.S. Department of Education Grant Funds (\$328,009) and In-Kind Contributions (\$75,400)

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3156

Addendum addition 15: Authorize a two-year extension and increase in the contract with Deloitte & Touche, LLP for annual enrollment and employee/retiree benefits administration services, as part of the hosting and maintenance agreement with Lawson Associates, Inc., for the period of January 1, 2004 through December 31, 2005 - Not to exceed \$600,000, from \$300,000 to \$900,000 - Financing: Employee Benefits Current Funds

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Blaydes.

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". (Loza, Hill, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3157

Addendum addition 16: Authorize a personal services contract with Robert E. Slavin to recruit candidates for the Dallas Police Chief position - Not to exceed \$25,000 -
Financing: Current Funds

Councilmember Garcia moved to approve the item.

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2003

EXHIBIT C

-MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 2003

03-3050

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]

CORRECTIONS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3072

Item 20: Authorize a sixty-month service contract for the collection of delinquent City accounts with the highest responsible bidder of ten - Penn Credit Corporation - Estimated Annual Revenue: \$4,446,441 - Water Utilities Current Funds (\$4,041,815), Current Funds (\$303,246), Aviation Current Funds (\$101,380)

Councilmember Rasansky requested that consent agenda item 20 be considered as an individual item. Mayor Miller stated that consent agenda item 20 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 20 was brought up for consideration.

Councilmember Rasansky moved to approve the item ~~with the following change.~~

Motion seconded by Councilmember Oakley and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 2003

03-3090

Item 40: Authorize (1) an Interlocal Agreement with Dallas County to provide aerial spraying and (2) adoption of the City's mosquito control plan with modifications to include allowance for aerial spraying - Financing: No cost consideration to the City

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

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

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 511.071 of the Texas Government Code.

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

Councilmember Greyson moved to separate the vote on Part 1 and 2.

Motion seconded by Mayor Pro Tem Loza.

Councilmember Greyson moved to approve Part 1.

Motion seconded by Councilmember Chaney and unanimously adopted.

Councilmember Finkelman moved to approve Part 2.

Motion seconded by Councilmember Lill.

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

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