

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 28, 2004

04-0400

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 9:18 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 5:10 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

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

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

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 28, 2004

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 28, 2004

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0401

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: Harold Barker, 9191 Garland Rd.  
SUBJECT: White collar crime in code enforcement and building inspections

SPEAKER: Gayle Colston Barge, 1401 Akard St.  
REPRESENTING: Dallas Alumnae Chapter of Delta Sigma Theta Sorority Inc.  
SUBJECT: Celebrating 80<sup>th</sup> Anniversary of Public Service in Dallas Community

SPEAKER: David Marquis, 3110 W. Kiest Blvd.  
SUBJECT: Design Standards

SPEAKER: Fahim Minkah, 2939 E. Ledbetter Dr. **CANCELED**  
REPRESENTING: United Front of Dallas, Inc.  
SUBJECT: Southern Skates Roller Rink Project

SPEAKER: Al Lipscomb, 830 Clearwood Dr. **CANCELED**  
SUBJECT: Capitalization

**ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:**

SPEAKER: Joe Burkleo, 545 Lacewood Dr. **NO SHOW**  
SUBJECT: Truthfulness

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: John Hammond, 13895 Brookgreen Dr.  
SUBJECT: Green Monster

SPEAKER: Carolyn Davis, 2611 Burger St. **NO SHOW**  
SUBJECT: Concerns about a house that is going to be built at 2606 Burger

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **DID NOT SPEAK**  
SUBJECT: The original vision

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

04-0401

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SPEAKER: Brena Otekpen, 6050 Melody Ln. **NO SHOW**  
SUBJECT: My constitutional rights have been violated in my home

SPEAKER: Jurline Hollins, 2832 Marjorie Ave. **NO SHOW**  
SUBJECT: Linebarger, Heard, Goggan, Blair, Graham, Pena and Simpson  
LLP

**OPEN MICROPHONE -- SPOKE IN THE LAST 30 DAYS**

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Corruption on the Dallas City Council, Trinity River, Plan, KKK,  
FBI

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0402

Item 1: Approval of Minutes of the January 14, 2004 City Council Meetings

Councilmember Greyson moved to approve the minutes as amended by the city secretary. The city secretary stated that on agenda item 20 that the item did not show Councilmember Finkelman was absent when vote was taken.

Motion seconded by Councilmember Oakley and unanimously adopted.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0403

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-42 and addendum addition consent agenda items, 1-4 was presented for consideration.

The city secretary announced that the city manager had deleted agenda item 13 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that consent agenda items 24-42 be considered as individual items to allow a speaker to speak. Mayor Miller stated that consent agenda items 25-42 would be considered as individual items later in the meeting, to allow a speaker to speak, there being no objection voiced to the city secretary's request.

The city secretary announced that Councilmember Greyson had deferred consent agenda items 14 and 41 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred of Items had been posted Councilmember Greyson stated that she had notified the city secretary in writing that she had deferred agenda items 14 and 41 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as individual items.

Mayor Miller stated that consent agenda items 14 and 41 would be considered as a part of the consent agenda, there being no objection voiced to Councilmember Greyson's request.

Councilmember Rasansky requested that consent agenda items 24 and 39 be considered as individual items. Mayor Miller stated that consent agenda items 24 and 39 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Miller called for the speaker that had signed up to speak on multiple items. The speaker was not present. Mayor Miller stated that consent agenda items 25-42 would remain on the consent agenda, there being no objection voiced to Mayor Miller's request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda item 13, which was deleted, and consent agenda items 24 and 39, which would be considered later in the meeting.

Motion seconded by Councilmember Lill and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0404

Item 2: Authorize a professional services contract with Jones & Boyd, Inc. to provide design services for a soccer field and parking lot improvements at Jaycee/Zaragoza Park - \$17,755 - Financing: 2001-02 Urban Development Action Grant Funds (\$16,136) and 2002-03 Urban Development Action Grant Funds (\$1,619)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0405

Item 3: Authorize a professional services contract with Oglesby/Greene Architects, Inc. to provide design development, preparation of construction bid documents, bid evaluation and construction administration for the West Love Field Branch Library located at 2146 Gilford Street - \$249,691 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0406

- Item 6: Authorize (1) a contract for the installation of walkway pavers, fountain, stone plaza, trees, landscaping, electrical, plumbing and other miscellaneous items at the corner of Woodside Street and Clark Street, Phase IV-C, in Tax Increment Financing Reinvestment Zone Number One, City of Dallas (State-Thomas TIF District) with Texas Standard Construction, LTD., lowest responsible bidder of four in an amount not to exceed \$217,039, (2) assignment of the construction contract to Post Properties, Inc. for construction administration, and (3) payment to Post Properties, Inc. in an amount not to exceed \$26,000 for design and construction administration - Total not to exceed \$243,039 - Financing: Private Funds (advance from Post Properties, Inc. to the State-Thomas TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0407

Item 5: Authorize (1) a contract for construction of the Bachman Water Treatment Plant ozone facilities and chemical feed system improvements; and, (2) a decrease in appropriations in the amount of (\$40,963,000) in the Capital Construction Fund; and, (3) the establishment of appropriations in the amount of \$40,963,000 in the Water System Improvement Fund (\$28,154,626) and Wastewater System Improvement Fund (\$12,808,374) - Archer-Western Contractors, Ltd., lowest responsible bidder of two - \$22,755,000 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0408

Item 6: Authorize Supplemental Agreement No. 1 to the contract with Oglesby Greene Architects to provide schematic design, construction documents, bid phase, construction administration and Americans with Disabilities Act plan review and inspection for the interactive bird exhibit at the Dallas Zoo - \$45,700, from \$14,990 to \$60,690 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0409

Item 7: Sylvan Avenue Bridge over the  
Trinity River

Note: Item Nos. 7 and 8 must be  
considered collectively.

- \* Authorize Supplemental Agreement No. 2 to the contract with HNTB Corporation to provide additional professional services for schematics and environmental documentation necessary for the design of paving, drainage, and bridge replacement improvements to the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - \$546,127, from \$923,501 to \$1,469,628 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0410

Item 8: Sylvan Avenue Bridge over the  
Trinity River

Note: Item Nos. 7 and 8 must be  
considered collectively.

- . \* Authorize an Interlocal Agreement with the Texas Department of Transportation for engineering review of the design and construction of the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - \$12,500 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0411

Item 9: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for anaerobic digester rehabilitation at the Southside Wastewater Treatment Plant - \$574,728, from \$7,193,136 to \$7,767,864 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0412

Item 10: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for work associated with the Central Wastewater Treatment Solids Transfer Pump Station and force main - \$75,016, from \$4,532,000 to \$4,607,016 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0413

Item 11: Authorize Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc., for odor control and ventilation system improvements at the Southside Wastewater Treatment Plant - \$566,348, from \$1,494,669 to \$2,061,017 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0414

Item 12: Authorize Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews and Newnam, Inc. to decrease the contract amount for equipment modifications to the solids screening and thickening facility at the Southside Wastewater Treatment Plant - (\$82,655), from \$1,530,209 to \$1,447,554 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0415

Item 13: Authorize an Interlocal Agreement with the Texas Department of Transportation for right-of-way acquisition and utility relocation on the Woodall Rodgers Extension (Spur 366) from IH 35E across the Trinity River to the intersection of Beckley Avenue and Singleton Boulevard - \$2,950,000 - Financing: 1998 Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0416

Item 14: Authorize an Interlocal Agreement with the Texas Department of Transportation for the construction of a concrete traffic safety barrier and a porous asphalt driving surface on IH 30 from Beckley Avenue to Sylvan Avenue - \$485,000 - Financing: 1998 Bond Funds (\$385,750), 2003 Bond Funds (\$99,250)

The city secretary announced that Councilmember Greyson had deferred consent agenda item 14 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred of Items had been posted Councilmember Greyson stated that she had notified the city secretary in writing that she had deferred agenda item 14 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as part of the consent agenda.

Mayor Miller stated that consent agenda item 14 would be considered as a part of the consent agenda, there being no objection voiced to Councilmember Greyson's request.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0417

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a street easement containing approximately 1,467 square feet, 5 drainage easements containing a total of approximately 9,000 square feet and 5 temporary construction easements containing a total of approximately 8,775 square feet for Tatum and Tillery Avenues paving and drainage improvements located near the intersection of Tatum Avenue and Goodman Street (list attached) - \$13,683 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0418

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a drainage easement containing approximately 8,596 square feet of land located near the intersection of Westmoreland Avenue and Interstate Highway 30 from Commercial Metals Company for the Westmoreland Road reconstruction project - \$10,745 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0419

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 4 tracts of land containing a total of approximately 22,383 square feet located on Singleton Boulevard between Bataan Street and Vilbig Road for Singleton Boulevard improvement project - \$87,825 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0420

Item 18: Authorize conveyance to the State of Texas of approximately 3 acres of land located at the intersection of Hampton Road and Interstate Highway 30 for its Interstate Highway 30 improvements project - Revenue: \$238,271

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0421

Item 19: An ordinance abandoning a subsurface portion of Main Street right-of-way to Dallas County Community College District, the abutting owner, containing approximately 276 square feet of land located near its intersection with Market Street, and authorizing the quitclaim - Revenue: \$5,796 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25479.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0422

Item 20: Authorize a thirty-six-month price agreement for music compact discs for the Dallas Public Library with the lowest responsible bidder of three - Baker and Taylor Information and Entertainment Services - Not to exceed \$269,265 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0423

Item 21: Authorize a thirty-six-month price agreement for International and Chrysler heavy duty truck parts and labor with the lowest responsible bidders of three - Southwest International Trucks, Inc. and Smith Chrysler Dodge - Not to exceed \$1,962,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0424

Item 22: Authorize a thirty-six-month price agreement for tires for Dallas Fire Department emergency response vehicles with the lowest responsible bidder of two - Tire Centers, LLC - Not to exceed \$459,118 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0425

Item 23: Authorize the exchange of existing Sigarms, Glock, and Beretta handguns for the purchase of new model Sigarms handguns with the lowest responsible bidder of two - Sigarms, Inc. - Not to exceed \$113,900 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0426

Item 24: Authorize a contract for software, hardware, and maintenance upgrade to the Dallas Water Utilities existing payment collection centers - System Innovators, Inc. - Sole Source - Not to exceed \$351,302 - Financing: Water Utilities Capital Improvement Funds (\$265,743) and Building Inspection Current Funds (\$85,559)

Councilmember Rasansky requested that consent agenda item 24 be considered as an individual item. Mayor Miller stated that consent agenda item 24 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 24 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill.

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

Voting Yes: [11] Miller, Loza, Hill, Garcia, Oakley, Salazar, Griffith, Blaydes,  
Finkelman, Greyson, Lill

Voting No: [4] Thornton Reese, Chaney, Fantroy, Rasansky

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0427

Item 25: Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowner, Maggie Perkins Hornage, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 1999-00 Community Development Grant Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$32,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0428

Item 26: Authorize an increase in the replacement housing payment for homeowner, Modesta Gonzales, due to the inability to find a decent, safe and sanitary replacement house for the \$55,000 replacement housing payment previously authorized by Resolution No. 03-2305 on August 27, 2003 - Not to exceed \$12,500, from \$55,000 to \$67,500 - Financing: 2003-04 Community Development Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0429

Item 27: An ordinance granting a Specific Use Permit for a pedestrian skybridge on Motor Street and Amelia Court, southwest of Harry Hines Boulevard for a 40-year period subject to a site plan and conditions (Z023-135 RB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25480.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0430

Item 28: Farmers Market TIF District

Note: Item Nos. 28 and 29 must be considered collectively.

- . \* Authorize an amendment to the development agreement with Camden Property Trust previously authorized on January 9, 2002 by Resolution No. 02-0102 to extend the deadline for completing public and private improvements from December 31, 2004 to December 31, 2005 for Parcel One and from October 31, 2006 to October 31, 2008 for Parcel Two and related changes for Camden Farmers Market Project (Phase IB) located in the block bounded by Central Expressway, Marilla Street, Farmers Market Way, Taylor Street, Good Latimer Expressway and the southern boundary of Camden Property Trust's property in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0431

Item 29: Farmers Market TIF District

Note: Item Nos. 7 and 8 must be considered collectively.

- \* Authorize an amendment to the development agreement with Camden Realty, Inc. previously authorized on June 14, 2000 by Resolution No. 00-1870 to extend the deadline for completing public and private improvements from December 31, 2002 to December 31, 2006 and related changes for the Townhomes Project, Phase IIA (Phase II, 38 units) located along Canton Street and South Central Expressway in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District)  
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0432

Item 30: Authorize hardship relief for property located at 1050 N. Westmoreland Road #130 from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0433

- Item 31: Authorize hardship relief for property located at 2215 May Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0434

- Item 32: Authorize hardship relief for property located at 2217 May Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0435

- Item 33: Authorize hardship relief for property located at 2211 Sulphur Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0436

- Item 34: Authorize hardship relief for property located at 2204 May Street from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0437

Item 35: Authorize hardship relief for property located at 1050 N. Westmoreland Road #126 from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0438

- Item 36: Authorize hardship relief for property located at 2123 W. Colorado Boulevard from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and 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 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0439

Item 37: Authorize the acceptance of additional grant funds from the Texas Department of Health for an extension of the grant agreement and continuation of the City of Dallas Immunization Initiative Program from January 1, 2004 through December 31, 2004 - Not to exceed \$254,524 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0440

Item 38: Authorize the acceptance of amended proposals from T. R. Hoover for the development of 14 unimproved properties obtained through HB110 process, and authorize time extension for the development, and execution of correction deeds and amended Deed Restrictions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0441

Item 39: Authorize the acceptance of a transfer of funds in the amount of \$500,000 from the City Center TIF District Fund to the Affordable Housing Cost Participation Program - \$500,000 - Financing: City Center TIF District Funds

Councilmember Rasansky requested that consent agenda item 39 be considered as an individual item. Mayor Miller stated that consent agenda item 39 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 39 was brought up for consideration.

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Salazar.

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

Voting Yes:	[14]	Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Finkelman, Greyson, Rasansky, Lill
Voting No:	[0]	
Absent when vote taken:	[1]	Blaydes

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0442

Item 40: Authorize an aggregate payment in the amount of \$240,000 to the Dallas Housing Authority (DHA) in accordance with the Agreed Final Judgment entered August 12, 2003 in the lawsuit styled Walker, et al. v. United States Department of Housing and Urban Development, et al. to be used over a three-year period beginning August 12, 2003 and ending August 12, 2006 for the following purposes: (1) \$75,000 per year to be used by DHA to provide rental bonus payments to property owners leasing three and four bedroom units in non-minority concentrated areas to participants in the Section 8 Bonus Incentive program, and (2) \$5,000 per year to be used by DHA for monitoring market rent levels throughout the City and the Dallas Metropolitan area - \$240,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0443

Item 41: Authorize (1) the appointment of Pamela S. Kurtzman, Chief Financial Officer of the Jewish Federation of Greater Dallas, or her 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 \$42,000,000 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

The city secretary announced that Councilmember Greyson had deferred consent agenda item 41 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred of Items had been posted Councilmember Greyson stated that she had notified the city secretary in writing that she had deferred agenda item 41 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as part of the consent agenda.

Mayor Miller stated that consent agenda item 41 would be considered as a part of the consent agenda, there being no objection voiced to Councilmember Greyson's request.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0444

Item 42: Authorize a one-year contract, with two one-year renewal options, with Travis Ranch Development, L.P. to provide untreated water from Lake Ray Hubbard - December 8, 2003 through December 7, 2004 (\$7,327); December 8, 2004 through December 7, 2006 (\$6,963 annually) - Total Estimated Revenue: \$21,253

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0445

The consent zoning docket consisting of agenda items 43-47, was presented.

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

Agenda item 43: Zoning Case Z023-196 (MJF)

Agenda item 44: Zoning Case Z034-108 (MJF)

Agenda item 45: Zoning Case Z034-115 (MM)

Agenda item 46: Zoning Case Z034-117 (MM)

Agenda item 47: Zoning Case Z034-118 (WE)

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

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

Councilmember Garcia 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 Blaydes and unanimously adopted. (Loza, Hill, Salazar, Finkelman, Rasansky absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0446

Item 43: Zoning Case Z023-196 (MJF)

Zoning Case Z023-196 (MJF), a City Council authorized hearing to determine the proper zoning on property zoned Sub-district B for office, warehouse and retail uses within Planned Development No. 521 on property located north of Interstate-20 and east and west of Mountain Creek Parkway with consideration given to modifying parking, landscaping, sidewalk, signage and the industrial (inside) for light manufacturing use regulations for Sub-district B of Planned Development District No. 521 and an ordinance granting revisions to Sub-district B.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25481.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0447

Item 44: Zoning Case Z034-108 (MJF)

Zoning Case Z034-108 (MJF), an application for and an ordinance granting a Specific Use Permit for a Private School on property zoned an MU-3 Mixed Use District located on the east side of Park Central Drive, north of Merit Drive and south of Churchill Way.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25482.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0448

Item 45: Zoning Case Z034-115 (MM)

Zoning Case Z034-115 (MM), an application for and an ordinance granting a Planned Development District for a Public Library use on property zoned an MF-2(A) Multifamily District south of the intersection of Kiest Boulevard and Sunnyvale Street, north of Skylark Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25483.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0449

Item 46: Zoning Case Z034-117 (MM)

Zoning Case Z023-117 (MM), an application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District on the northwest corner of the intersection of Toronto Street and Navarro Street, one block north of Singleton Boulevard.

(The city plan commission recommended approval.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25484.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0450

Item 47: Zoning Case Z034-118 (WE)

Zoning Case Z023-118 (WE), an application for and an ordinance granting an expansion of and an amendment to Planned Development District No. 456 for an adult day care facility, convalescent and nursing homes, hospice care, and related institutions and retirement housing on property zoned Planned Development District No. 456 and an R-10(A) Single Family District on the southwest corner of Skyline Drive and Shepard Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25485.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0451

Item 48: Public Hearing – Zoning Case Z034-113 (MM)

A public hearing was called on zoning case Z023-113 (MM), an application for a Specific Use Permit for an alcoholic beverage establishment use to be used as a bar, lounge, or tavern and a commercial amusement (inside) use for a Class A dance hall on property zoned a CR Community Retail District located on the southeast corner of Greenville Avenue and Hudson Street.

(The city plan commission recommended denial.)

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

Roger Albright, 3301 Elm St.  
Linda Do, 4615 Creekmeadow Dr.  
Ruos Falkner, 5850 Beltline Rd.  
Marvin Crenshaw, 5134 Malcolm X Blvd.  
Roy Williams, 5881 Prestonview Blvd.

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

Maxine Aaronson, 3131 McKinney Ave.  
John Ahne, 6008 Hudson St.  
Chris Frye, 6000 Hudson St.  
Gaye Hopkins, 5603 Monticello Ave.  
Clyde McClendon, 5809 Hudson St.

The following individual addressed the city council regarding zoning case Z034-113 (MM):

William Hopkins, 2011 Leath St.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0452

Item 49: Public Hearing - DEVELOPMENT CODE AMENDMENTS - CONSENT

Councilmember Rasansky requested that consent zoning docket item 49 be called as an individual hearing. Mayor Miller stated that consent zoning docket item 49 would be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket item 49 was brought up for consideration.

A public hearing was called on DCA 023-007(SR), consideration of the establishment of certain standards to require industrialized housing to be compatible with existing housing as allowed by amended state legislation and an ordinance granting the amendment.

(The city plan commission recommended approval.)

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

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 and unanimously adopted. (Miller, Salazar absent when vote taken)

Assigned ORDINANCE NO. 25486.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0453

Item 50: Public Hearing - DEVELOPMENT CODE AMENDMENTS - CONSENT

Councilmember Lill requested that consent zoning docket item 50 be called as an individual hearing. Mayor Miller stated that consent zoning docket item 50 would be called as an individual hearing, there being no objection voiced to Councilmember Lill's request.

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

A public hearing was called on an application to amend the Dallas Development Code Section 51A-4.124(a)(9) requirements for commercial surface parking lots in a CA-1(A) Central Area District and an ordinance granting the amendment.

(The city plan commission recommended approval.)

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

Jason Severance, 411 N. Akard St.

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

Larry Fonts, 1200 Main St.  
John Ruff, 2001 Bryan St.  
John Raider, 4428 Amherst Ave.

The following individual addressed the city council regarding the amendment:

William Hopkins, 2011 Leath St.

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

- “1. Delete Section 51A-4.124 (9)(J)(i)(dd), which exempts surface parking lots on the eastern and southern periphery of downtown from the fencing requirements,
2. Delete Section 51A-4.124 (9)(K)(iv), which exempts surface parking lots on the eastern and southern periphery of downtown from the landscape requirements, and

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

04-0453

Page 2

3. Amend Section 51A-4.124 (9)(K)(v) to read as follows: (v) Exemption for certain small surface parking lots. Landscaping is not required for surface parking lots with a total area of 10,000 square feet or less, unless two or more continuous lots have an aggregate area of 10,000 square feet or more” and pass the ordinance.

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

Assigned ORDINANCE NO. 25487.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0454

Item 51: 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 following individual addressed the city council regarding consideration of appointments to boards and commissions:

Michael Davis Jr., 2411 Creekglen Dr.

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 January 28, 2004.

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 Melissa McIntosh, Citizen-at-Large, to the Judicial Nominating Commission.

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

Councilmember Garcia moved to appoint all the nominees to "full council" 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 Greyson and unanimously adopted.

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

**04-0476 JNC JUDICIAL NOMINATING COMMISSION**

**04-0477 YAC YOUTH COMMISSION**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0455

Item 52: City Center TIF District

Note: Item Nos. 52, 53, and 54  
must be considered collectively.

- \* Authorize (1) a development agreement with Barker Nichols, LLC to provide for the funding of facade, demolition, environmental remediation and other authorized improvements related to the redevelopment of the Interurban Building located at 1500 Jackson Street in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$5,000,000; and (2) the establishment of appropriations in the amount of \$5,000,000 in the City Center TIF District Fund - Total not to exceed \$5,000,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund)

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

Deputy Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0456

Item 53: City Center TIF District

Note: Item Nos. 52, 53, and 54  
must be considered collectively.

- \* A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse Barker Nichols, LLC for funds advanced pursuant to a development agreement with Barker Nichols, LLC in an amount not to exceed \$5,000,000, plus interest, for facade improvements, demolition, environmental remediation and other authorized improvements related to the redevelopment of the Interurban Building located at 1500 Jackson Street in the City Center TIF District - Financing: No cost consideration to the City

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

Deputy Mayor Pro Tem Hill moved to approve the resolution.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0457

Item 54: City Center TIF District

Note: Item Nos. 52, 53, and 54  
must be considered collectively.

- \* Authorize a real property tax abatement agreement with Barker Nichols, LLC for the purpose of granting a ten-year abatement of 90% of the taxes on new real property value resulting from the development of a grocery store and residential complex to be located within City of Dallas Enterprise Zone One at 1500 Jackson Street - Revenue: First year new real property tax revenue estimated at \$10,745 (Estimated revenue foregone for ten-year abatement is \$967,038)

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

Deputy Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0458

Item 55: Authorize (1) the City of Dallas Urban Land Bank Demonstration Program and Program Statement; (2) the Dallas Housing Acquisition and Development Corporation to (a) amend its Articles of Incorporation and Bylaws to allow the Corporation to operate the City of Dallas Urban Land Bank Demonstration Program and (b) change the make up of its Board of Directors; (3) adoption of the Urban Land Bank Demonstration Program Plan; and (4) an Interlocal Cooperation Contract between the City of Dallas, Dallas County, Dallas Independent School District, Parkland Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District for the Urban Land Bank Demonstration Program - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Frank Ward, P.O. Box 50694

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0459

Item 56: Authorize a professional services contract with Tuerff-Davis EnviroMedia, Inc. for the furtherance of the advertising campaign, promotion and media placement for reinforcement of water conservation initiatives - \$1,200,000 - Financing: Water Utilities Current Funds

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0460

Item 57: Authorize (1) a contract for the demolition and public use improvements related to the redevelopment of 1717 Main Street (Bank One Center) with J. N. Kent Construction Co., Inc., only bidder, in an amount not to exceed \$352,108, (2) assignment of the construction contract to Main Street Partners Funding, L.P. for construction management, (3) payment to Main Street Partners Funding, L.P. in an amount not to exceed \$352,108 for design, construction management and construction, (4) receipt and deposit of funds in an amount not to exceed \$102,108 in the City Center TIF District Fund, and (5) an increase in appropriations in the amount of \$102,108 in the City Center TIF District Fund - Total not to exceed \$352,108 - Financing: City Center TIF District Funds (\$250,000), Private Funds (\$102,108 received from Main Street Partners Funding, L.P.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0461

Item 58: Authorize a Neighborhood Revitalization and Historic Preservation Program tax abatement for James Walker, owner of property located at 1924 Main Street (Estimated revenue foregone for a fifteen-year abatement is \$134,960) - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Frank Ward, P.O. Box 50694

Mayor Pro Tem Loza moved to defer the item until the February 14, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Fantroy.

Later in the meeting, Mayor Pro Tem Loza withdrew his motion.

Councilmember Fantroy, who seconded the motion, also withdrew his motion.

Councilmember Lill moved to refer the item back to the Landmark Commission for further consideration.

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

**Note: Councilmember Lill would also like to direct the staff of the Park and Recreation Department to meet with their consultants to incorporate this building and adjacent historic structures on Main Street into the proposed Downtown Parks Master Plan. Councilmember Lill would like the Parks staff to present this revised plan to the Landmark Commission for their input and concurrence. After that work has been accomplished, Councilmember Lill would like the Development Services staff to work with Mr. Walker to revise his tax abatement request to reflect the goals of both the LPC and the Downtown Parks Master Plan before this item comes back to council in March.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0462

Closed Session

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

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

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

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

- Performance Evaluation of City Attorney Madeleine B. Johnson

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0463

Closed Session

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

- Legal issues concerning utility and cable construction in public right-of-way
- Legal issues involving HIPAA - Health Insurance Portability and Accountability Act of 1996
- David Bell, Warren Gulley, Warryn Simon, and Luis Andrade v. City of Dallas, Cause No. 03-787
- Keith B. Burkins v. City of Dallas, et al., Cause No. 3:00-CV-2377-M
- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1662-H
- Thomas Wayne Williams v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1997-H
- VRC LLC v. City of Dallas, et al., Cause No. 3:03-CV-04420-G
- City of Dallas v. All State Auto Rent, Inc., Cause No. 02-09178

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

Closed Session

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

- Legal issues concerning utility and cable construction in public right-of-way
- Legal issues involving HIPAA - Health Insurance Portability and Accountability Act of 1996
- Keith B. Burkins v. City of Dallas, et al., Cause No. 3:00-CV-2377-M
- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1662-H
- Thomas Wayne Williams v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1997-H
- VRC LLC v. City of Dallas, et al., Cause No. 3:03-CV-04420-G

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0464

Addendum addition 1: Authorize a decrease in the contract with Camino Construction, L.P. for the construction of storm drainage improvements on Swiss Avenue, Mill Creek Phase I - (\$75), from \$1,810,088 to \$1,810,013 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0465

Addendum addition 2: A resolution to authorize the dissolution of the City of Dallas Health Facilities Development Corporation, the Love Field Economic Development Corporation, the re-establishment of the City of Dallas Industrial Development Board as a stand-alone board, and revise the established City Council policy concerning the Consolidated Economic Development Boards - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0466

Addendum addition 3: Authorize the acceptance of a grant from the North Central Texas Council of Governments for a waste reduction/recycling educational program for White Rock Lake Park and execution of the grant agreement - \$29,820 - Financing: North Central Texas Council of Governments Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0467

Addendum addition 4: Authorize Supplemental Agreement No. 2 to the License Agreement with the City of Inglewood, California for a 12-month extension for the continued operation of the parking management information system - \$401,450 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0468

Addendum addition 5: **Comcast Cable of Dallas, Inc.**

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

Addendum addition 6: **Comcast Cable of Dallas, Inc.**

- \* An ordinance establishing maximum rates to be charged by Comcast Cable of Dallas, Inc., dba Comcast, for basic service tier and installation and equipment - Financing: No cost consideration to the City

The following individual addressed the city council regarding Comcast Cable of Dallas:

William Hopkins, 2011 Leath St.

Councilmember Greyson moved to close the public hearing and pass the ordinance with alternate changes as presented by the city manager.

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

Assigned ORDINANCE NO. 25488.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0469

Addendum addition 7: Authorize settlement of a lawsuit styled Elena Livingston v. City of Dallas and Diana Salinas v. State Farm Mutual Automobile Insurance Co., Cause No. cc-02 04701-e - \$25,000 - Financing: Current Funds

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0470

Addendum addition 8: Authorize settlement of a lawsuit styled Judy Hauenstein, Individually and Michael Hauenstein, Individually v. William Edwin Martinez, Individually and City of Dallas, Cause No. DV02-09402-e - \$13,000 - Financing: Current Funds

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0471

Addendum addition 9: Authorize a professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P., for legal services and related expenses necessary in the lawsuit styled Environmental Conservation Organization v. City of Dallas, No. 3-03-CV-2951M, and any other proceeding related to the subject matter of this lawsuit - Not to exceed \$215,000 - Financing: Current Funds

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0472

Addendum addition 10: Authorize, solely for purposes of, and conditional on continuing, negotiation and settlement of existing restructured relationship with SBC, without prejudice to recoupment if negotiations break down, an increase in the contract with SBC Global Services, Inc. and Ameritech Credit Corporation d/b/a SBC Capital Services, for voice (dial tone) and data network services, telephone and data equipment, and cabling and maintenance - \$2,000,000, from \$33,818,912 to \$35,818,912 - Financing: Current Funds

Mayor Miller called a recess of the meeting in order that the city council could meeting in executive session under Section 511.071 of the Texas Government Code Meetings Act) to confer with the city attorney.

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

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 Blaydes moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Rasansky abstain; Loza, Hill, Salazar, Finkelman absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0473

Addendum addition 11: Consideration of a letter or resolution supporting the efforts of members of Congress to legislatively enable the City to issue permits for wallscape signs that comply with the requirements of Section 51A-7.1306(f) of the Dallas Development Code - Financing: No cost consideration to the City

Councilmember Greyson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0474

Addendum addition 12: Authorize a personal services contract with R. Douglas Firestone to recruit candidates for the Director of Communication and Information Services position - Not to exceed \$25,000 - Financing: Current Funds

Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 28, 2004

04-0475

NOTICE OF DEFERRED OR DELETED ITEMS

In accordance with Paragraph (d) of Section 7.11 of the City Council Rules of Procedure, the attached notices of deferred or deleted items were posted adjacent to each entrance to the city council chamber in Room 6 E North, City Hall.

*7.11(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city councilmember or deleted by the city manager. No later than 5:30 p.m. of the day before each city council meeting, the city secretary shall post a list of all items appearing on the addendum to the agenda that were deferred by a city council member or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these lists any item described in Paragraph (a)(1), (2), (3), or (4).*



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 28, 2004

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS