

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 26, 2004

04-1675

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 9:25 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 city council and the audience led the pledge of allegiance

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 3:07 p.m.

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Mayor

ATTEST:

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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, MAY 26, 2004

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 26, 2004

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1676

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: Ronald Wright, 4112 Amity Dr.  
REPRESENTING: Pleasant Grove Community Unity Coalition  
SUBJECT: The abolishment of the Lateral Vascular Neck Restraint

SPEAKER: Albert Parker, 6319 Elam Rd.  
SUBJECT: Southern sectors neglected

SPEAKER: Nikki Hopkins, 2711 Marburg  
SUBJECT: Demolished homes that are occupied **NO SHOW**

SPEAKER: Brent Lemons, 4428 N. Hall St.  
SUBJECT: 911 / Police response time **NO SHOW**

SPEAKER: Carl Raines, 1211 Waterside Cir.  
REPRESENTING: Dallas Citizen Police Review Board  
SUBJECT: Disability Pay

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

SPEAKER: Clarence Evans, 1710 Sunview Dr.  
SUBJECT: "Citizens have no respect under zoning laws."

**OPEN MICROPHONE – END OF MEETING:**

SPEAKER: James Dunn, 3635 Blue Ridge Blvd.  
SUBJECT: Police response in the Neighborhood

SPEAKER: Jewel Floyd, 3815 Myrtle St.  
SUBJECT: The mow clean liens on property at 4916 Gurley St.

May 26, 2004

04-1676

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

SPEAKER: Mark Walker, 4150 2<sup>nd</sup> Ave. **NO SHOW**  
SUBJECT: Youth Services in South Dallas Fair Park area

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Racism against the Dallas City Council, Parks Department, KKK and the  
Downtown Confederate Soldiers

SPEAKER: Frank Ward, P.O. Box 50694  
REPRESENTING: Community at Large  
SUBJECT: Misconstruction of Education

**All Agenda Items:**

SPEAKER: Roy Williams, 5181 Preston View Blvd.  
REPRESENTING: Dallas County Green Party

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1677

Item 1: Approval of Minutes of the May 12, 2004 City Council Meeting

Councilmember Finkelman moved to approve the minutes.

Motion seconded by Councilmember Blaydes and unanimously adopted.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1678

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-55 and addendum addition consent agenda items 1-7 were presented for consideration.

The city secretary announced that the city manager had deleted agenda item 36 from the agenda in accordance with subsection 7.11 of the City Rules of Procedure.

Councilmember Chaney requested that consent agenda item 7 be considered as an individual item. Mayor Miller stated that consent agenda items 7 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Salazar requested that consent agenda item 16 be considered as an individual item. Mayor Miller stated that consent agenda item 16 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Salazar's request.

Councilmember Rasansky requested that consent agenda items 16, 32 and 34 be considered as individual items. Mayor Miller stated that consent agenda items 16, 32 and 34 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Greyson requested that consent agenda item 27 be considered as an individual item. Mayor Miller stated that consent agenda item 27 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

The City Attorney requested that consent agenda items 32, 33, and 34 be considered as individual items in order for her to brief the matters in executive session. Mayor Miller stated that consent agenda items 32, 33 and 34 be considered as individual items later in the meeting to allow the city attorney to brief the city council, there being no objection voiced to the City Attorney's request.

The city secretary requested that consent agenda items 38, 39, 40, 41, 42, 43 and 44 be considered as individual items to allow citizens to speak. Mayor Miller stated that consent agenda items 38, 39, 40, 41, 42, 43 and 44 be considered as individual items later in the meeting to allow citizens to speak, there being no objection voiced to the city secretary's request.

Mayor Pro Tem John Loza moved to approve all items on the consent agenda with the exception of consent agenda item 36, which was deleted, and consent agenda items 7, 16, 27, 32, 33, 34, 38, 39, 40, 41, 42, 43 and 44, which would be considered later in the meeting.

Motioned seconded by Councilmember Garcia and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1679

Item 2: Authorize a professional services contract with ArchiTexas – Architecture, Planning and Historic Preservation, Inc. to provide for pre-design and schematic design at Lake Cliff Park located at 300 E. Colorado Boulevard - \$61,215 – Financing: 2003 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1680

Item 3: Authorize a professional services contract with Lopez Garcia Group to provide topographic surveying and mapping, construction documents for a new parking lot, renovations to the existing parking lot, athletic field renovations, site assessment, and site and athletic field lighting at Beckley-Saner Park located at 114 West Hobson - \$52,945 – Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1681

Item 4: Authorize a professional services contract with David C. Baldwin, Inc. to provide for topographic survey, conceptual and planning phase, design phase and construction documents for a new playground, access walks and site furnishings at Westmoreland Park located at 3600 W. Illinois Avenue - \$15,960 – Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1682

Item 5: Authorize a professional services contract with Carter & Burgess, Inc. to provide preliminary engineering and environmental services for bicycle and pedestrian enhancements on Phase I of the East Dallas VeloWay (Tenison Trail) from Winsted Drive to Glasgow Street - \$156,113 – Financing: 2003 Bond Funds (\$124,890 to be reimbursed by the Texas Department of Transportation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1683

Item 6: Authorize a professional services contract with Nathan D. Maier Consulting Engineering, Inc. to provide preliminary engineering services for bicycle and pedestrian enhancements on Phase I of the East Dallas VeloWay (Tenison Trail) from Winsted Drive to Glasgow Street to Exposition Street - \$77,100 – Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 2004

04-1684

Item 7: Authorize a professional services contract with Williams-Russell and Johnson, Inc. for the design of streetscape and infrastructure improvements including intersection improvements, sidewalks, curb and gutter replacements, and water and wastewater main improvements on Bexar Street from the C.F. Hawn (U.S. 175) service road to Brigham Lane - \$171,627 – Financing: 2000-01 Walker Consent Decree Funds (\$147,013), Water Utilities Capital Construction Funds (\$24,614)

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

Later in the meeting, agenda item 7 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1685

Item 8: Authorize a contract with Eliseo Garcia dba "Eliseo" to design, fabricate and install an artwork at Sammons Center for the Arts located at 3630 Harry Hines Blvd – Not to exceed \$80,000 – Financing: Water Utilities Public Art Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1686

Item 9: Authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc. for design revisions to the pre-final plans for the Gilford/Roanoke Drainage Relief project - \$83,400, from \$290,000 to \$373,400 – Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1687

Item 10: Authorize Supplemental Agreement No. 12 to the contract with Carter & Burgess, Inc. for additional design and construction administration services for the preparation of construction drawings and specifications for additional scope of work on the heating, ventilation and air conditioning system in the terminal building at Dallas Love Field - \$382,926, from \$4,071,884 to \$4,454,810 - Financing: Aviation Capital Construction Funds (\$222,020), Federal Aviation Administration Grant Funds (\$160,906)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1688

Item 11: Authorize (1) Supplemental Agreement No. 15 to the contract with Hunt Construction Group, Inc. for the Love Field Parking Garage A Structural Repair Project, to increase the Guaranteed Maximum Price in an amount not to exceed \$450,000, from \$56,134,446 to \$56,584,446, increasing the total contract from \$57,288,611 to \$57,738,611, and (2) an increase in the contract with North Texas Bomanite, Inc. for the Love Field Garage A Structural Repair Project in an amount not to exceed \$369,885, from \$2,494,562 to \$2,864,447, within the Guaranteed Maximum Price - Total not to exceed \$450,000 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1689

Item 12: Authorize an increase in the contract with Palco Enterprises, Inc. for improvements to Shed No. 3 at Dallas Farmers Market - \$39,995, from \$164,685 to \$204,680 - Financing: Convention and Event Services Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1690

Item 13: Authorize an Interlocal Agreement with Dallas Area Rapid Transit for participation in the design and construction of paving and water main improvements on La Reunion Parkway from 140 feet east of dead end to French Settlement Road and on French Settlement from La Reunion Parkway to 350 feet north - \$1,250,500 - Financing: 2003 Bond Funds (\$201,562), Water Utilities Capital Improvement Funds (\$475,000), Private Funds (\$573,938 to be reimbursed upon the issuance of November 2004 General Obligation Bonds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1691

Item 14: Authorize (1) a Participation Agreement with Petula Associates, Ltd. for the design and construction of paving and water main improvements on La Reunion Parkway from 140 feet east of dead end to Pipestone Road, (2) the receipt and deposit of funds from Petula Associates, Ltd. in an amount not to exceed \$573,938, and (3) the establishment of appropriations in the amount of \$573,938 in the Capital Projects Reimbursement Fund - Total not to exceed \$573,938 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1692

Item 15: Authorize a settlement in lieu of proceeding with condemnation of Larry A. Koehler for acquisition of a tract of land containing approximately 36 acres for the Trinity River Corridor project located near the intersection of Pemberton Hill Road and Sarah Lee Drive - \$108,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1693

Item 16: A resolution declaring approximately 8 acres of vacant City-owned land located near the intersections of Iroquois and Fannie Streets and Ingersoll Street and Chippewa Drive unwanted and unneeded and authorize the private sale through the Land Transfer Program to Builders of Hope Community Development Corporation, a qualified non-profit organization, for the development of low and moderate income affordable housing - Revenue: \$10

Councilmembers Salazar and 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 Councilmembers Salazar and Rasansky's request.

Later in the meeting, agenda item 16 was brought up for consideration.

Councilmember Salazar moved to defer the item to the Housing and Neighborhood Development Committee.

Motion seconded by Councilmember Rasansky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26,2004

04-1694

Item 17: An ordinance abandoning a water easement to Piedmont Lakeland Partners, L.P., the abutting owner, containing approximately 2,893 square feet of land located near the intersection of Lakeland Drive and Ferguson Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25597

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1695

Item 18: An ordinance granting a license to Voice Publishing Company, Inc. to install, operate and maintain self-service newsracks for the distribution of publications on street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25598



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1696

Item 19: An ordinance granting a license to Network Communications, Inc. to install, operate and maintain self-service newsracks for the distribution of publications on street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25599

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1697

Item 20: Authorize a first amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to renew and extend the lease for approximately 200 square feet of office space in the deHaro-Saldivar Health Center at 1400 N. Westmoreland Road to be used as a Women, Infants and Children clinic for the period June 15, 2004 through June 14, 2011 - Not to exceed \$19,250 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1698

Item 21: Authorize (1) a five-month holdover period through June 14, 2004 and (2) a first amendment to the lease agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to renew and extend the lease for approximately 984 square feet of office space located in the Southeast Health Center at 9202 Elam Road, to be used as a Women, Infants and Children clinic for the period January 15, 2004 through June 14, 2004 in the amount of \$4,166 and for the period June 15, 2004 through June 14, 2011 in the amount of \$94,710 - Total not to exceed \$98,876- Financing: Texas Department of Health Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1699

Item 22: Authorize a second amendment to the lease agreement with Jay Elins to renew and extend the lease for approximately 4,017 square feet of building space located at 2233 Valdina Street, Suite 103 to be used by the Women, Infants, and Children Program as a central supply storage facility for the period July 1, 2004 through June 30, 2008 - Not to exceed \$104,429 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1700

Item 23: Online E-Pay Payment System

Note: Item Nos. 23 & 24 must be considered collectively.

- \* Authorize an amendment to the contract with Bearing Point (formerly KPMG Consulting, Inc.) for (1) use of the City's e-government website with Texas On-Line for thirty-six months until May 31, 2007, (2) negotiated annual fees for Water Utilities Department bill payment via the City's website for a variable annual charge for the next three years - Not to exceed \$1,588,673 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1701

Item 24: Online E-Pay Payment System

Note: Item Nos. 23 & 24 must be considered collectively.

- \* Authorize the addition of the Department of Development Services to use the e-government website Texas Online E-Pay Payment System for the Land Management System - Not to exceed \$45,947 - Financing: Building Inspection Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1702

Item 25: Authorize a thirty-six-month price agreement for library books with the lowest responsible bidder of four - Ingram Library Services, Inc. - Not to exceed \$5,787,120  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1703

Item 26: Authorize the purchase of grounds maintenance equipment from the lowest responsible bidders of five - Richardson Saw & Lawnmower, Co., Inc., Professional Turf Products, LP, Luber Bros. Inc., Tom Loftus Inc. dba Austin Turf & Tractor, Jones Equipment & Turf, Inc. - Not to exceed \$269,124 - Financing: Current Funds (\$62,700), Golf Improvement Trust Funds (\$200,459), Dallas Zoo Trust Funds (\$5,965)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1704

Item 27: Authorize a thirty-six-month price agreement for reflective and non-reflective sheeting for signs with the lowest responsible bidder of four - 3M Co. - Not to exceed \$213,583 - Financing: Current Funds

Councilmember Greyson requested that consent agenda item 27 be considered as an individual item. Mayor Miller stated that consent agenda item 27 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 27 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1705

Item 28: Authorize the purchase of a truck-mounted vacuum excavator from the only bidder - Miller Pipeline Corp. - Not to exceed \$143,500 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1706

Item 29:        Authorize settlement of the lawsuit styled *Atlantic Mutual Insurance Co. and National Presort, Inc. v. City of Dallas and Marcelo Magana*, Cause No. 04-00573-D - \$15,237  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1707

Item 30: Authorize settlement of the lawsuit styled Jesus R. Rodriguez v. Kevin L. Mackey and City of Dallas, Cause No. cc-03-05404-a - \$9,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1708

Item 31: Authorize settlement of the lawsuit styled Raul Arrambide v. Clifton McGee and the City of Dallas, Cause No. 03-02778-C - \$7,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE CITY OF DALLAS

May 26, 2004

04-1709

Item 32: Authorize a replacement housing payment for homeowner, Donnie Mae Brown, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$72,500 - Financing: 2003-04 Community Development Grant Funds

Councilmember Rasansky and the City Attorney 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 Councilmember Rasansky and the City Attorney's request.

Later in the meeting, agenda item 32 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 (Texas Open Meetings Act) to confer with the city attorney.

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

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Thornton Reese, Chaney, Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1710

Item 33: Authorize a replacement housing payment and disbursement of funds from the Home Repair Program for homeowner, Ruby L. Bagley, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$55,000 - Financing: 2001-02 Community Development Grant Funds (\$32,500) and 2003-04 Community Development Grant Funds (\$22,500)

The City Attorney requested that consent agenda item 33 be considered as an individual item. Mayor Miller stated that consent agenda item 33 would be considered as an individual item later in the meeting, there being no objection voiced to the City Attorney's request.

Later in the meeting, agenda item 33 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 (Texas Open Meetings Act) to confer with the city attorney.

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

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Thornton Reese, Chaney, Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1711

Item 34: Authorize an increase in the replacement housing payment for homeowner, Louise Warren, due to the inability to find a decent, safe and sanitary replacement house for the \$22,500 replacement housing payment previously authorized on April 12, 2000 by Resolution No. 00-1168 - Not to exceed \$50,000, from \$22,500 to \$72,500 - Financing: 2003-04 Community Development Grant Funds

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

Later in the meeting, agenda item 34 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 (Texas Open Meetings Act) to confer with the city attorney.

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

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Thornton Reese, Chaney, Greyson absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1712

Item 35: An ordinance amending Ordinance No. 23521 previously approved on May 27, 1998 to modify the By-Laws for Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), to acknowledge Dallas County and Dallas County Hospital District's waiver of their appointees to the Farmers Market TIF District Board of Directors, to increase the number of City Council appointed Board of Directors from five to seven, to redefine a quorum as a majority currently appointed to the Board of Directors, and approving the corresponding changes to the By-Laws of the Farmers Market TIF District Board of Directors as originally adopted by Resolution No. 02-1615 on May 22, 2002 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25600

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1713

Item 36: Authorize the acceptance of corrected deed restrictions volunteered by the applicant to prohibit a residential hotel on property located on the east corner of East Ledbetter Drive and Haas Road (Z978-253) - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1714

Item 37: Authorize amendments to Resolution No. 03-2455, previously approved on September 10, 2003, for the funding of environmental remediation, demolition, facade restoration, design and construction of certain public improvements related to a pedestrian access-way through 1608 Main Street, and other improvements related to the redevelopment of 1608 Main Street to extend the project deadlines and clarify maintenance and security responsibilities - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1715

Item 38: An ordinance amending Chapter 52 of the Dallas City Code to provide administrative provisions for the construction codes, including their application to existing structures and industrialized structures; exempting certain types of work from construction permit requirements; providing requirements for seals of certain design professionals on construction work; and providing quorum and voting requirements for the Building Inspection Advisory, Examining, and Appeals Board - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 38 be considered as an individual item to allow a citizen to speak. Mayor Miller stated that consent agenda item 38 be considered as an individual item later in the meeting, to allow a citizen to speak, there being no objection voiced to the city secretary's request.

Later in the meeting, agenda item 38 was brought up for consideration.

The following individual addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25601.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1716

Item 39: An ordinance amending Chapters 53 and 57 of the Dallas City Code to adopt the 2000 International Building Code, with local amendments, and to make corresponding amendments to the Dallas One- and Two-Family Dwelling Code - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 39 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 39 be considered as an individual item later in the meeting, to allow citizens to speak, there being no objection voiced to the city secretary's request.

Later in the meeting, agenda item 39 was brought up for consideration.

The following individuals addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects

Don Spicer, 1214 N. Selva Dr.

Paul Cauduro, 18818 Tupelo Ln.

Walter Kilroy, 7422 Craigshire Ave., representing DISD and Building Inspection Advisory Board

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25602.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1717

Item 40: An ordinance amending Chapter 54 of the Dallas City Code to adopt the 2000 International Plumbing Code, with local amendments - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 40 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 40 be considered as an individual item later in the meeting, to allow citizens to speak, there being no objection voiced to the city secretary's request.

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

The following individuals addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects

Lee Sullivan, 2810 Oates Dr.

Linden Raimer, 21316 Pat O'Brien Rd., Covington, Louisiana, representing the International Association of Plumbing of Mechanical Officials

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25603.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1718

Item 41: An ordinance amending Chapter 55 of the Dallas City Code to adopt the 2000 International Mechanical Code, with local amendments - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 41 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 41 be considered as an individual item later in the meeting, to allow citizens to speak, there being no objection voiced to the city secretary's request.

The following individuals addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects  
Linden Raimer, 21316 Pat O'Brien Rd., Covington, Louisiana, representing the  
International Association of Plumbing of Mechanical Officials

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25604.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1719

Item 42: An ordinance amending Chapter 56 of the Dallas City Code to adopt the 2002 National Electrical Code, with local amendments - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 42 be considered as an individual item to allow a citizen to speak. Mayor Miller stated that consent agenda item 42 be considered as an individual item later in the meeting, to allow a citizen to speak, there being no objection voiced to the city secretary's request.

The following individual addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25605.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1720

Item 43: An ordinance adding Chapter 58 to the Dallas City Code to adopt the 2003 International Existing Building Code, with local amendments - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 43 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 43 be considered as an individual item later in the meeting, to allow citizens to speak, there being no objection voiced to the city secretary's request.

The following individuals addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects  
Kate Singleton, 7222 Dalewood Ln.  
Paul Cauduro, 18818 Tupelo Ln., representing Homebuilder's Association of Greater Dallas

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25606.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1721

Item 44: An ordinance adding Chapter 60 to the Dallas City Code to adopt the 2000 International Fuel Gas Code, with local amendments - Financing: No cost consideration to the City

The city secretary requested that consent agenda item 44 be considered as an individual item to allow citizens to speak. Mayor Miller stated that consent agenda item 44 be considered as an individual item later in the meeting, to allow citizens to speak, there being no objection voiced to the city secretary's request.

The following individuals addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects  
Linden Raimer, 21316 Pat O'Brien Rd., Covington, Louisiana, representing the International Association of Plumbing of Mechanical Officials

Councilmember Lill moved to approve the item.

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

Assigned ORDINANCE NO. 25607.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1722

Item 45: Authorize the adoption of a policy for Environmentally Preferred Purchasing to provide good stewardship of the environment by purchasing products or services that have a lesser impact on human health and the environment - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1723

Item 46: Authorize an Interlocal Agreement with Denton County for reimbursement of costs associated with ambulance and related services within Denton County from October 1, 2003 through September 30, 2004 - Revenue: \$11,967

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1724

Item 47: Authorize an amendment to the contract with Deloitte Consulting Outsourcing, LLC (formerly Deloitte & Touche, LLP), for the purchase of additional disk storage space for the Human Resources Information System - Not to exceed \$17,718 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1725

Item 48: Authorize (1) the acceptance of \$27,300 from the Dallas Housing Finance Corporation for the People Helping People Program and (2) an increase in the contract with Care Construction and Remodeling, Inc., in the amount of \$27,300 to provide services for low-to-moderate income owner-occupant households in need of minor home repairs to address health and/or safety concerns such as handicap accessibility ramps, porch repairs and, handrails, etc. - Total not to exceed \$27,300 - Financing: Dallas Housing Finance Corporation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1726

Item 49: Authorize (1) a contract with the Dallas Housing Acquisition and Development Corporation (DHADC) to provide operational funding not to exceed \$480,000 for (a) implementation of the Dallas Urban Land Bank Demonstration Program and (b) acquisition by DHADC of non-land bank qualified properties for affordable housing development; (2) amendments to the Program Statement for the Dallas Urban Land Bank Demonstration Program allowing the DHADC to (a) bid on tax foreclosed properties at the Sheriff Sale to the public and (b) purchase non-land bank qualified properties; (3) an amendment to the Program Statement for the Residential Development Acquisition Loan Program authorizing the DHADC to utilize Program funds for acquisition of non-land bank qualified properties for affordable housing development; and (4) disbursement of up to \$265,000 in 2003 General Obligation Bonds proceeds for the acquisition of property by the land bank for affordable housing development - Total not to exceed \$745,000 - Financing: Current Funds (\$180,000), 2002-03 Community Development Grant Funds (\$300,000), and 2003 Bond Funds (\$265,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1727

Item 50: Authorize the Dallas Public Library to annually apply for membership in the Texas Library System - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1728

Item 51: Authorize a public hearing to be held on June 9, 2004 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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1729

Item 52: Authorize payment to the North Central Texas Regional Certification Agency for annual membership dues for the period of January 1, 2004 through December 31, 2004 - Not to exceed \$28,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1730

Item 53: Authorize (1) a public hearing to be held on June 9, 2004 to receive citizens' comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law, and (2) at the close of the public hearing, consideration of the readoption of Chapter 12 of the Dallas City Code  
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-731

Item 54: Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad grant in the amount of \$429,000 to provide a specialized proactive automobile theft program, from the Texas Automobile Theft Prevention Authority, for a total amount of \$973,703, for the period September 1, 2004 through August 31, 2005 (local match in the amount of \$66,459, or 7% of all expenses, will be required if awarded and In-Kind contributions in the amount of \$478,244, will be contributed by the Dallas Police Department) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1732

Item 55: Authorize an Interlocal Agreement with the North Texas Police Chiefs' Association for continued participation in the Greater Dallas-Fort Worth Regional Law Enforcement Mutual Aid Task Force for the investigation of criminal activity and enforcement within the state of Texas for the period June 11, 2004 through June 10, 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1733

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 56-60 was presented for consideration.

Agenda item 56 was removed from the consent zoning docket, to be considered as an individual hearing.

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

<del>Agenda item 56: Zoning Case Z034-142 (MM)</del>	<b>[Considered Individually]</b>
Agenda item 57: Zoning Case Z034-167 (RB)	
Agenda item 58: Zoning Case Z034-187 (MM)	
Agenda item 59: Zoning Case Z034-191 (WE)	
Agenda item 60: Zoning Case Z034-193 (WE)	

In allowing 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 individuals addressed the city council concerning the consent zoning docket:

William Hopkins, 2011 Leath St.  
Jewel Floyd, 3815 Myrtle St.  
Marvin Crenshaw, 5134 Malcolm X Blvd.

Councilmember Fantroyl moved to close the public hearing, accept the recommendations of the city plan commission in the remaining consent zoning cases and pass the ordinance and the resolutions subject to a development plan and conditions and deed restrictions submitted by the applicant as presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1734

Item 56: Zoning Case Z034-142 (MM)

The consent zoning docket, consisting of agenda items 56-60, was presented.

Councilmember Lill requested that consent zoning docket item 56 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 56 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.

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

A public hearing was called on consent zoning docket case Z034-142 (MM), an application for and an ordinance granting a Planned Development District for MF-2 (A) Multifamily District uses, and the uses allowed in the LO-1-D Limited Office District with a Dry Liquor Control Overlay and the NO (A) Neighborhood Office District with retention of Specific Use Permit No. 728 for a hospital, on property zoned an LO-1-D Limited Office District with a Dry Liquor Control Overlay and an NO (A) Neighborhood Office District, northeast of the intersection of Abrams Road and Glasgow Drive.

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

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

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

James Schnurr, 5400 Renaissance Tower, representing the applicant.  
Mary Nash, 6370 Reiger Ave.  
Steve Clique, 6025 Reiger Ave.  
Karen Casey, 6100 Tremont

The following individual addressed the city council regarding zoning case Z034-142 (MM):

Jewel Floyd, 3815 Myrtle St.

04-1734

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Councilmember Lill moved to close the public hearing, accept the recommendation of the city plan commission with the following change in paragraph (4) of subsection (a) Sec. 51P-684.108:

“(4) The six buildings identified in Exhibit 684A as two-story buildings must have pitched roofs with a minimum slope of 4:12. Rooflines must vary through the use of opposing gable, hip, and shed forms to be consistent with the Tudor-esq and Craftsman styles of the neighborhood. The building identified in Exhibit 684A at the corner of Glasgow Drive and Victor Avenue that includes the multifamily units identified as Nos. 10 –13 must generally conform to the Tudor Concept Elevation shown in Exhibit 684B. For the five buildings located along Victor Avenue that include the multifamily units identified as Nos. 14 – 41, at least one of the five buildings must generally conform to the Tudor Concept Elevation shown in Exhibit 684B. Also, at least one of the five building must generally conform to the Craftsman Concept Elevation shown in Exhibit 684C. For the remaining three buildings, the developer has the option of construction each building to generally conform to either the Tudor Concept Elevation shown in Exhibit 684C. The developer may also choose to develop all three remaining buildings in one of the two styles in Exhibit 684B or Exhibit 684C, or a combination of the two styles in Exhibits 684B and 684C and pass the ordinance.”

Motion seconded by Councilmember Garcia and unanimously adopted.

Assigned ORDINANCE NO. 25608.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1735

Item 57: Zoning Case Z034-125 (RB)

Zoning case Z034-125 (RB), an application for and an ordinance granting a CS Commercial Service District on property zoned an R-7.5(A) Single Family District on the north side of Lawson Road, northeast of Lasater Road and a resolution accepting deed restrictions volunteered by the applicant

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25609

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1736

Item 58: Zoning Case Z034-187 (MM)

Zoning Case Z034-187(MM), an application for and an ordinance granting a Specific Use Permit for a Private Street or Alley use on property zoned an R-7.5(A) Single Family District, on the northwest side of Ferguson Road, between Dorrington Drive and St. Francis Street

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25610.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1737

Item 59. Zoning Case Z034-191(WE)

Zoning Case Z034-191(WE), an application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District and an NS(A)-D-1 Neighborhood Service District with a Dry-1 Liquor Control Overlay, on the north side of South Belt Line Road, between Garden Grove Road and Vida Court

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25611.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1738

Item 60: Zoning Case Z034-193 (WE)

Zoning Case Z034-193(WE), an application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an LI-D-1 Light Industrial District with a Dry-1 Liquor Control Overlay and a P(A) Parking District, on the southwest corner of Hoyle Road and Delafield 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. 25612.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1739

Item 61: Public Hearing – Zoning Case Z034-185 (MM) – DALLAS INDEPENDENT SCHOOL DISTRICT

Zoning Case Z034-185(MM), an application for and an ordinance granting an amendment to Planned Development District No. 618 for a Public School Use other than an Open Enrollment Charter School and TH-3 Townhouse District uses on the east side of Audelia Road, south of Walnut Street and north of Forest Lane

(The city plan commission recommended approval, subject to a development 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 Z034-185(MM):

Marvin Crenshaw, 5134 Malcolm X Blvd.

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

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

Assigned ORDINANCE NO. 25613.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1740

MISCELLANEOUS HEARINGS

Item 62: Incentives for Lavo Corporation Note: Item Nos. 62 & 63 must be  
Db a EPI Breads considered collectively.

- \* A public hearing to receive citizens' comments on the City's participation The Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code as revised effective September 1, 2003 and the Enterprise Zone Project nomination of Lavo Corporation dba EPI Breads at 4710 W. Ledbetter Drive - Financing: No cost consideration to the City

Item 63: \* An ordinance authorizing (1) participation in Texas Enterprise Zone Program, (2) revision of Private Partnership Guidelines to add one new unique incentive for enterprise zone projects, (3) designation of a liaison for communication with interested parties, and (4) nomination of Lavo Corporation dba EPI Breads at 4710 W. Ledbetter as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) – Financing: No cost consideration to the City of Dallas

No one addressed the city council regarding the incentives for Lavo Corporation dba EPI Breads.

Councilmember Garcia moved to close the public hearing and pass the ordinance authorizing the incentives for Lavo Corporation dba EPI Breads.

Motion seconded by Councilmember Griffith and unanimously adopted.

Assigned ORDINANCE NO. 25614.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1741

MISCELLANEOUS HEARINGS

Item 64: Creation of Reinvestment Zone No. 60

Note: Items 64, 65 & 66 must be considered collectively.

- \* A public hearing to receive citizens' comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 60, including property at 4710 W. Ledbetter Drive in Dallas for the purpose of granting a real property tax abatement to Lavoι Corporation dba EPI Breads - Financing: No cost consideration to the City

Item 65: \* An ordinance designating property at 4710 W. Ledbetter Drive in Dallas, Texas, as City of Dallas Reinvestment Zone No. 60, for the purpose of granting a real property tax abatement to Lavoι Corporation dba EPI Breads establishing the boundaries of the Reinvestment Zone and providing for an effective date – Financing: No cost consideration to the City of Dallas

No one addressed the city council regarding the creation of Reinvestment Zone No. 60.

Councilmember Oakley moved to defer the item until the June 9, 2004 voting agenda meeting and continue the public hearing at that time.

Motion seconded by Councilmember Blaydes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 2004

04-1742

MISCELLANEOUS HEARINGS

Item 66: Creation of Reinvestment Zone No. 60

Note: Items 64, 65 & 66 must be considered collectively.

- \* Authorize a business personal property tax abatement agreement with Lavoie Corporation dba EPI Breads for the purpose of granting a five-year abatement of 50 percent of the taxes on added value to the business personal property at 4710 W. Ledbetter Drive-Revenue: First year tax revenue estimated at \$7,509; Five-year tax revenue estimated at \$37,544; (Estimated revenue foregone for five-year business personal property abatement is \$37,544)

Councilmember Oakley moved to defer the item until the June 9, 2004 voting agenda meeting and continue the public hearing at that time.

Motion seconded by Councilmember Blaydes and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1743

Item 67: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no consideration of appointments to boards and commissions.

**Financial Disclosure Report**

**The city secretary read the names of board and commission members that failed to timely and completely file the financial disclosure report in accordance with Chapter 12A, "Code of Ethics," of the Dallas City Code.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1744

Item 68: Authorize hardship relief for property located at 2347 Langford 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

Councilmember Salazar moved to defer the item until the June 9, 2004 voting agenda meeting.

Motion seconded by Mayor Pro Tem Loza unanimously adopted. (Thornton Reese, Greyson, absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1745

Item 69: Authorize the Retail Recruitment Initiative Criteria establishing the Implementation Policy for the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1746

Item 70: Authorize a grant agreement with Davis Building Master Tenant LLP pursuant to the City of Dallas Main Street District Initiative Chapter 380 Loan and Grant Program for tenant improvements in the amount of \$300,000 and rent subsidy for twenty-four months in the amount of \$326,124 for Kül Creative LLC dba Kül Design Studios - Total not to exceed \$626,124 - Financing: Public/Private Partnership Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1747

Item 71: An ordinance adopting the 2000 International Fire Code with amendments as the Dallas Fire Code - Financing: No cost consideration to the City

The following individual addressed the city council regarding the item:

Jim Seay, 1320 Prudential Dr., representing the American Institute of Architects

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted.

Assigned ORDINANCE NO. 25615.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1748

Item 72: Authorize an Historic Development 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

Councilmember Lill moved to defer the item until the August 25, 2004 voting agenda meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1749

Closed Session

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

- William Bates, Jr. v. Edward Parker and Henry Blain Dickens, Cause No. #:00-CV-1018-P
- Greenstar, Inc. v. City of Dallas and Terrell Bolton, Cause No. DV-01-05718-D
- City of Dallas v. Thurston Robinson, Individually and d/b/a Planet Venus, Santa Fee Cabaret, LLC d/b/a Santa Fe Cabaret, Curtis Wise, Individually, and 3027 W. Northwest Hwy, Dallas, Texas, Cause No. 04-01878-C

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

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

- William Bates, Jr. v. Edward Parker and Henry Blain Dickens, Cause No. #:00-CV-1018-P
- City of Dallas v. Thurston Robinson, Individually and d/b/a Planet Venus, Santa Fee Cabaret, LLC d/b/a Santa Fe Cabaret, Curtis Wise, Individually, and 3027 W. Northwest Hwy, Dallas, Texas, Cause No. 04-01878-C

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1750

Addendum addition 1: Authorize **(1)** a contract for the construction of a new air traffic control tower, air terminal administration building and aircraft parking apron at Dallas Executive Airport with Meridian Commercial, L.P., lowest responsible bidder of five in an amount not to exceed \$5,658,000, and **(2)** the establishment of appropriations in the amount of \$7,070,560 in the Texas Department of Transportation Airport Improvement Program Funds - Total not to exceed \$5,658,000 - Financing: Aviation Capital Construction Funds (\$3,845,521), Texas Department of Transportation Airport Improvement Program Funds (\$1,812,479)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1751

Addendum addition 2: Authorize **(1)** a contract for selective demolition and environmental remediation related to the redevelopment of 1530 Main Street (Dallas National Bank Building) with ARC Abatement I Ltd., lowest responsible bidder of four, in an amount not to exceed \$462,529; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; and **(3)** payment to Dunhill 1530 Main LP in an amount not to exceed \$237,471 for design, reimbursables and construction management - Total not to exceed \$700,000 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1752

Addendum addition 3: Authorize a professional services contract with Lena Levario, Attorney at Law for an independent investigation of the City's fake drug issues - \$50,000 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1753

Addendum addition 4: Authorize a professional services contract with the law firm of Munsch Hardt Kopt & Harr for an independent investigation of the City's fake drug issues - \$125,000 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1754

Addendum addition 5: Authorize settlement of the lawsuit styled Thomas Wayne Williams v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1662-H - \$40,000 –  
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1755

Addendum addition 6: Authorize an amendment to Resolution No. 03-1723, previously approved on June 11, 2003, as amended, and Resolution No. 04-1455, previously approved on April 28, 2004 for the funding of environmental remediation, demolition, facade restoration, a fire access corridor, streetscape improvements, and other authorized improvements related to the redevelopment of 1530 Main Street and 1524 Main Street (Eureka Hotel) to **(1)** consolidate the development agreements for administrative and reimbursement purposes; and **(2)** increase the early reimbursement in the amount of \$1,255,000, from \$745,000 to \$2,000,000 for environmental remediation and demolition - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 26, 2004

04-1756

Addendum addition 7: Authorize City staff to **(1)** initiate a search, and assist in the creation of a non-profit public benefit corporation; and **(2)** enter into negotiations with that non-profit corporation for the management of the Trinity Equestrian Center - Financing: No cost consideration to the City

Approved as part of the consent agenda.