

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 9, 2004

04-1800

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

PRESENT: [14] Miller, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy,
Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill
ABSENT: [1] Loza absent on city business

The meeting was called to order at 9:17 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 4:05 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, JUNE 9, 2004

EXHIBIT A

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 9, 2004

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1801

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: Se-Gwen Tyler, 1816 Prairie View Dr. **CANCELED**
REPRESENTING: Arlington Park Neighborhood Association/Crime Watch
SUBJECT: Arlington Park Community

SPEAKER: Frankie Brooks, 1418 Record Crossing Rd. **CANCELED**
SUBJECT: Arlington Park Neighborhood

SPEAKER: Mozelle Austin, 3105 Peavy Rd.
SUBJECT: Concerns regarding water bill

SPEAKER: Steven Weir, 3347 Latham Dr.
SUBJECT: Cab Regulations

SPEAKER: Lim Walton, 3109 Homes St.
SUBJECT: Demolition of houses/Water bill/Burning of homes

ADDITIONAL OPEN MICROPHONE – BEGINNING OF MEETING:

SPEAKER: Keary Miller, 701 W. Mitchell, Cir., Arlington. **CANCELED**
SUBJECT: Police Brutality

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

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Meeting with City Attorney concerning land

SPEAKER: Janice McGowan, 4410 Cicero St. **NO SHOW**
SUBJECT: Faith Family Academy

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

04-1801

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SPEAKER: Michael Flusche, 2230 Dunloe Dr. **NO SHOW**
SUBJECT: Agenda Item 54 – Amending Chapter 34

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: Citizens Organized for Representative Democracy
SUBJECT: 14- 1 and beyond

SPEAKER: William Hopkins, 2011 Leath St. **NO SHOW**
SUBJECT: Corruption with the Mayor, Merrell Lynch, State Representatives and the RSR Lead Settlement

SPEAKER: Charles Goodlow, Jr., 3880 s. Walton Walker Blvd. **NO SHOW**
SUBJECT: Trouble receiving services from Legal Aid of Northwest Texas and SMU Legal Clinic

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1802

Item 1: Approval of Minutes of the May 26, 2004 City Council Meeting

Councilmember Thornton Reese moved to approve the minutes.

Motion seconded by Councilmember Salazar and unanimously adopted. (Loza absent on city business; Hill, Greyson absent when vote taken)

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1803

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-34 and addendum addition consent agenda items 1-7 were presented for consideration.

Councilmember Rasansky requested that consent agenda items 4, 12, 15 and 27 and addendum addition 7 be considered as individual items. Mayor Miller stated that consent agenda items 4, 12, 15 and 27 and addendum addition 7 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Griffith 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 Griffith's request.

Councilmember Lill requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

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

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 4, 12, 15, 24, 27, 29, and 31 and addendum addition 7, which would be considered later in the meeting.

Motioned seconded by Councilmember Lill and unanimously adopted. (Loza absent on city business; Hill, Finkelman, Greyson absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1804

Item 2: Authorize a professional services contract with Camargo Copeland Architects, LLP for renovation of the building located at 1600 South Lamar Street for the Police Quartermaster - \$91,427 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1805

Item 3: Authorize a professional services contract with Williams, Russell and Johnson, Inc., for renovation of the 5th Floor at the J. Erik Jonsson Library located at 1515 Young Street - \$106,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1806

Item 4: Authorize (1) a professional services contract with Lopez Garcia Group to provide preliminary plans, conduct public meetings, community involvement and construction documents for the dredging, erosion control and site improvements to Blackburn (intersection of Blackburn Street and Turtle Creek Boulevard) and Stonebridge (intersection of Stonebridge Drive east of Turtle Creek Boulevard) ponds within the Turtle Creek Parkway; and (2) an increase in appropriations in the amount of \$80,000 in the Capital Gifts, Donation and Development Fund - Total not to exceed \$149,356 - Financing: Capital Gifts, Donation and Development Funds (\$80,000) and 1998 Bond Funds (\$69,356)

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

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

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Garcia and unanimously adopted. (Loza absent on city business; Hill, Greyson absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1807

Item 5: Authorize a professional services contract with Marcel Quimby Architecture Preservation, Inc. to provide a master plan, surveying and schematic design for restoration of the pavilion, site lighting, addition of drinking fountains, exterior renovation of the bathhouse, plaza and sidewalk improvements, perimeter trail, additional benches, replacement of temporary toilets, improved pool enclosure and additional landscaping at Tietze Park located at 2700 Skillman Street - \$20,240 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1808

Item 6: Authorize a professional services contract with Dan Shipley Architects, Inc. to provide pre-design, schematic design, design development, construction documents, bidding and construction administration for the removal and replacement of a medium-sized pavilion at Valley View Park located at 7000 Valley View Park - \$16,350 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1809

Item 7: Authorize a professional services contract with DSGN Associates, Inc. to provide topographic survey, schematic design, design development, construction documents, bidding and construction administration for improvements and renovations including new picnic tables, redevelopment of volleyball court, new footbridge, walking trail, playground, picnic pavilion, removal and replacement of parking area north of recreation center, security lighting, replacement of drinking fountain with Americans with Disabilities Act/Texas Accessibility Standards compliance and correction of drainage at Martin Weiss Park located at 3400 W. Clarendon - \$88,950 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1810

Item 8: Authorize a professional services contract with Corgan Associates, Inc. with Skidmore, Owings and Merrill LLP for architectural and engineering design services commencing with the pre-design programming phase of the contract for the design of the City Performance Hall - \$491,600 - Financing: 1998 Bond Funds (\$41,600), 2003 Bond Funds (\$450,000)

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1811

Item 9: Authorize a contract for the renovation of Fire Station No. 4 located at 816 S. Akard Street and the structural repairs at Fire Station No. 28 located at 8701 Greenville Avenue - Mart, Inc., lowest responsible bidder of three - \$125,900 - Financing: Capital Construction Funds (\$79,100), TXU Reserve Funds (\$46,800)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1812

Item 10: Authorize a contract for the renovation of Fire Station No. 31 located at 9365 Garland Road - Mart, Inc., lowest responsible bidder of four - \$155,500 - Financing: TXU Reserve Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1813

Item 11: Authorize a contract for playground and site improvements at Exall Park located at 3500 Live Oak Street - Henneberger Construction, Inc., lowest responsible bidder of four - \$144,273 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1814

Item 12: Authorize (1) a contract for the construction of Phase IX-A improvements including streetscape, miscellaneous plantings, street lighting and stone and wrought iron cemetery wall from Clyde Lane to Woodside Street north along block 578 located in Tax Increment Financing Reinvestment Zone Number One, (State-Thomas TIF District) with Texas Standard Construction, LTD., lowest responsible bidder of four, in an amount not to exceed \$209,865, (2) assignment of the construction contract to Gables Residential Trust for construction administration, and (3) payment to Gables Residential Trust in an amount not to exceed \$41,753 for design, construction administration, testing and street lighting - Total not to exceed \$251,618 - Financing: Private Funds (advance from Gables Residential Trust to the State-Thomas TIF District Fund)

Councilmember Rasansky requested that consent agenda item 12 be considered as an individual item. Mayor Miller stated that consent agenda item 12 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 12 was brought up for consideration.

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

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Rasansky abstain; Loza absent on city business; Hill, Greyson absent on city business)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1815

Item 13: Authorize a contract for electrical distribution system improvements at the Southside Wastewater Treatment Plant - Dal-Ec Construction, Ltd., lowest responsible bidder of four - \$9,197,299 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1816

Item 14: Authorize Supplemental Agreement No. 2 to the contract with Conley Design Group, Inc., for water infiltration and roof replacement at J. Erik Jonsson Central Library located at 1515 Young Street - \$80,340, from \$233,499 to \$313,839 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1817

Item 15: Authorize (1) the acceptance of a grant from the State of Texas Energy Conservation Office in the amount of \$28,500, through an Interlocal Agreement; (2) the establishment of appropriations in the State of Texas Energy Conservation Office Grant Fund in the amount of \$28,500; (3) Supplemental Agreement No. 1 to the design/build contract with Harrison, Walker & Harper, LP for the reconstruction of the Dallas Naval Air Station/Hensley Field Operations Center, 8200 West Jefferson Boulevard, Buildings #25 and #27, in an amount not to exceed \$5,828,500, which includes the grant funding for the Guaranteed Maximum Price total; and (4) the City's option to exercise three 30-day extension periods in the contract for sale of the Inwood Road Operations Center facility with the Board of Regents of the University of Texas System for the City to continue to occupy the facility in an amount not to exceed \$52,348 - Total not to exceed \$5,880,848 - Financing: State of Texas Energy Conservation Office Grant Funds (\$28,500), Hensley Field Funds (\$5,852,348 to be partially reimbursed with the proceeds from the sale of the Inwood Road Operations Center)

Councilmember Rasansky requested that consent agenda item 15 be considered as an individual item. Mayor Miller stated that consent agenda item 15 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 15 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Fantroy.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Loza absent on city business; Hill, Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1818

Item 16: Authorize Supplemental Agreement No. 1 to the design-build contract with AUI Contractors, L.P. to approve the Guaranteed Maximum Price for the construction of the Thurgood Marshall Family Aquatics Center located at 5150 Mark Trail Way - \$4,747,500, from \$342,500 to \$5,090,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1819

Item 17: Authorize (1) an increase in the contract with C. Green Scaping, L.P., to provide additional landscaping for the Love Field Flag Plaza in an amount not to exceed \$71,931, from \$509,513 to \$581,444, within the Guaranteed Maximum Price, and (2) assignment of the increase to Hunt Construction Group, Inc. for construction management - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1820

Item 18: Authorize an increase in the contract with Barson Utilities, Inc. for additional work to install a 12-inch water main in Southerland Avenue and pavement repairs on Opal Avenue - \$175,885, from \$4,669,764 to \$4,845,649 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1821

Item 19: Authorize (1) sidewalk paving, water and wastewater adjustments for Sidewalk Group 03-123; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and (2) a benefit assessment hearing to be held on August 11, 2004, to receive citizens' comments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1822

Item 20: Authorize an agreement with TXU Gas Company to install a 4-inch natural gas main and metering equipment located at the Southside Wastewater Treatment Plant - \$1,102,758 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1823

Item 21: Authorize acquisition from Kitty Ritchie of approximately 43,750 square feet of land located at 364 Gloria Road, Sunnyvale, Texas, near Lake Ray Hubbard - \$54,500 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1824

Item 22: Authorize the deposit of a Special Commissioners' Award for acquisition from Phillip Johnson, Donna K. Johnson and The Linfield Corporation of a tract of land containing approximately 90 acres located near the intersection of Linfield Road and Hull Avenue needed for the Trinity River Corridor project - \$287,920 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1825

Item 23: An ordinance declaring approximately 5,000 square feet of undevelopable City-owned park land located near the intersection of Lawther Drive and West Bay Circle, unwanted and unneeded and authorize its sale to Michael J. Intille and Pamela J. Intille, the abutting property owners - Revenue: \$25,000

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25616.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1826

Item 24: An ordinance granting a license to Texas Job Connection, Inc. and Texas Auto Connection, 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

Councilmember Griffith 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 Griffith's request.

Later in the meeting, agenda item 24 was brought up for consideration.

Councilmember Griffith moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Loza absent on city business; Hill absent when vote taken)

Assigned ORDINANCE NO. 25617.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1827

Item 25: An ordinance granting a license to African American News & Issues, 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. 25618.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1828

Item 26: Authorize an amendment to the lease agreement with DRS Broadcast Technology, Inc. to renew and extend the lease for five years of approximately 28,000 square feet of office and warehouse space located at 8231 and 8239 Hoyle Avenue from June 15, 2004 through June 14, 2009 - Not to exceed \$440,700 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1829

Item 27: Authorize an assignment of the tax abatement agreement with Transamerica Corporation and Trizec Renaissance Incorporated, previously approved on May 22, 1996 by Resolution No. 96-1850, to First American Real Estate Solutions LLC - Financing: No cost consideration to the City

Councilmember Rasansky 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 Rasansky's request.

Later in the meeting, agenda item 27 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Loza absent on city business; Hill absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1830

Item 28: Authorize the reconstruction on-site of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 3015 Spurlock - Total not to exceed \$55,000 - Financing: 2003-04 Community Development Grant Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1831

Item 29: Authorize (1) amendments to the Program Statement for the Single-Family Housing Infrastructure Development Bond Program and (2) issuance of a Request for Applications soliciting funding requests for infrastructure development for new mixed income single-family subdivisions, contingent on the availability of future bond proceeds - Financing: No cost consideration to the City

Councilmember Lill requested that consent agenda item 29 be considered as an individual item. Mayor Miller stated that consent agenda item 29 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 29 was brought up for consideration.

Councilmember Lill moved to defer the item until the June 23, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Loza absent on city business; Hill absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1832

Item 30: Authorize application to the Collin County Parks Foundation for a grant in the amount not to exceed \$1,000,000 for park development in Collin County (local match in the amount not to exceed \$500,000 will be required if awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1833

Item 31: Authorize adoption of the Downtown Parks Master Plan for the Park and Recreation Department - Financing: No cost consideration to the City

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

Later in the meeting, agenda item 31 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Loza absent on city business; Salazar absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1834

Item 32: Authorize a change in the scope of work to the contract with A+ Integrated Solutions for the purchase of a capital project management information system, professional services and warranty - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1835

Item 33: Authorize a five-year contract, with two five-year renewal options, with Lake Forest Community Association, Inc. to provide untreated water from White Rock Creek for irrigation of common areas and rights-of-way located in Dallas, Texas - June 9, 2004 through June 8, 2005 (\$16,224); June 9, 2005 through June 8, 2019 (\$15,859 annually) - Total Estimated Revenue: \$238,250

Approved as part of the consent agenda.

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CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1836

Item 34: Authorize renewal of the five-year contract, with two five-year renewal options, to provide untreated water for irrigation at The Shores Country Club, Inc. in Rockwall County, Texas - June 9, 2004 through June 8, 2019 (\$34,863 annually) - Total Estimated Revenue: \$522,945

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1837

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 35-38, was presented for consideration.

Agenda items 35, 36, and 38 were removed from the consent zoning docket, to be considered as individual hearings.

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

| | | |
|----------------------------|--------------------------------------|----------------------------------|
| Agenda item 35: | Zoning Case Z034-140 (MM) | [Considered individually] |
| Agenda item 36: | Zoning Case Z034-173 (RB) | [Considered individually] |
| Agenda item 37: | Zoning Case Z034-222 (WE) | |
| Agenda item 38: | Zoning Case Z034-226 (RB) | [Considered individually] |

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

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

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

Marvin Crenshaw, 5134 Malcolm X Blvd.

Councilmember Lill 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 Finkelman and unanimously adopted. (Loza absent on city business; Hill, Thornton Reese, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1838

Item 35: Zoning Case Z034-140 (MM)

The consent zoning docket, consisting of agenda items 35-38, was presented.

Councilmember Rasansky requested that consent zoning docket item 35 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 35 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, zoning docket item 35 was brought up for consideration.

A public hearing was called on zoning case Z034-140 (MM), an application, (1) to amend Tracts 1 and 3 within Planned Development District No. 260 to allow a medical clinic or ambulatory surgical center use by Specific Use Permit and to allow an in-patient rehabilitation facility by right and (2) for a Specific Use Permit for a medical clinic or ambulatory surgical center use, on the west side of North Central Expressway, north of Park Lane and south of Glen America Street, with consideration being given to a Specific Use Permit for an in-patient rehabilitation facility and ordinances granting an amendment to Planned Development District No. 260 and a Specific Use Permit for a medical clinic or ambulatory surgical center use and an in-patient rehabilitation facility.

(The city plan commission recommended approval of an amendment to Planned Development District No. 260 and approval of a Specific Use Permit for a medical clinic or ambulatory surgical center use and an in-patient rehabilitation facility by Specific Use Permit for a fifty-year period, subject to site plans, landscape plans and conditions.)

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

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

- “1. Only apply to the applicant's request site, Lot 4 in City block 14/5453;
2. Prohibit the receipt or delivery of patients by ambulance on an emergency basis;
3. Contain revised parking regulations; and
4. Contain revised site plans and landscape plans” and pass the ordinances.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

04-1838

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Motion seconded by Councilmember Blaydes and unanimously adopted. (Loza absent on city business; Hill, Thornton Reese, Salazar absent when vote taken)

Assigned ORDINANCE NO. 25619 and ORDINANCE NO. 25620.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1839

Item 36: Zoning Case Z034-173 (RB)

The consent zoning docket, consisting of agenda items 35-38, was presented.

Councilmember Finkelman requested that consent zoning docket item 36 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 36 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

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

A public hearing was called on zoning case Z034-173 (RB), an application for and an ordinance granting an amendment to the Phase I development plan and conditions for Planned Development District No. 114 for Retail, Hotel, Office, Multiple Family, and Entertainment and Recreational Uses, on the northeast corner of Belt Line Road and Prestonwood Boulevard.

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

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

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

Motion seconded by Councilmember Fantroy and unanimously adopted. (Loza absent on city business; Hill, Thornton Reese, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1840

Item 37: Zoning Case Z034-222 (WE)

Zoning Case Z023-222 (WE), a City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development Subdistrict No. 34, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Howell Street and Hall Street and an ordinance granting an amendment to the conditions.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25621.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1841

Item 38: Zoning Case Z034-226 (RB)

The consent zoning docket, consisting of agenda items 35-38, was presented.

Councilmember Fantroy requested that consent zoning docket item 38 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 38 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Fantroy's request.

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

A public hearing was called on zoning case Z034-226 (RB), a City Plan Commission authorized hearing to consider proper zoning with consideration being given to amending the conceptual plan and the acceptance of a Tract IIA landscape plan for Planned Development District No. 598 for Mixed Uses on property located on the north line of IH 20 between Hampton Road and Polk Street and an ordinance implementing the proposal.

(The city plan commission recommended approval, subject to a revised conceptual plan and a Tract IIA landscape plan.)

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

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

William Cothrum, 500 S. Ervay St., representing the applicant.

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Loza absent on city business; Hill, Thornton Reese, Salazar absent when vote taken)

Assigned ORDINANCE NO. 25622.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1842

Item 39: Public Hearing – Zoning Case Z034-192 (WE)

A public hearing was called on zoning case Z034-192 (WE), an application for a TH-1 Townhouse Subdistrict on property zoned an MF-1 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner of Throckmorton Street and Wycliff Avenue with consideration being given to a Planned Development Subdistrict for TH-1 Townhouse Subdistrict uses, and an ordinance granting a Planned Development Subdistrict for TH-1 Townhouse Subdistrict uses.

(The city plan commission recommended approval of a Planned Development Subdistrict for TH-1 Townhouse Subdistrict uses, subject to a conceptual plan and conditions.)

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

The following individuals addressed the city council regarding zoning case Z034-192 (WE):

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

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

Motion seconded by Councilmember Blaydes and unanimously adopted. (Loza absent on city business; Salazar, Finkelman absent when vote taken)

Assigned ORDINANCE NO. 25623.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1843

Item 40: Public Hearing – Zoning Case Z034-116 (MM)

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraph (c)(2)(A) of Section 51A.4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission.

A public hearing was called on zoning case Z034-116 (MM), an application for a Specific Use Permit for a Hotel or Motel use on property zoned an HC Heavy Commercial Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Maple Avenue and Mahon Street.

(The city plan commission recommended denial.)

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

Robert Reeves, 500 S. Ervay St., representing the applicant
David Bell, 8350 Meadow Rd.

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

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

Motion seconded by Councilmember Finkelman and unanimously adopted. (Loza absent on city business; Salazar absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1844

Item 41: Public Hearing – Zoning Case Z034-147 (WE)

A public hearing was called on zoning case Z034-147 (WE), an application for a Planned Development District for a CR-MD-1 Community Retail District with a Modified Delta Overlay, an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay, an MC-MD-1 Multiple Commercial District with a Modified Delta Overlay and UC-1 Urban Corridor District uses on property zoned a CR-MD-1 Community Retail District with a Modified Delta Overlay, an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay and an MC-MD-1 Multiple Commercial District with a Modified Delta Overlay, bounded by Greenville Avenue, Alta Street, Summit Avenue and Lewis Street.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1845

Item 42: Public Hearing – Zoning Case Z034-211 (MJF) – DALLAS INDEPENDENT SCHOOL DISTRICT

A public hearing was called on zoning case Z034-211 (MFJ), an application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school use and MF-2(A) Multifamily District uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District, located on the north side of Meadow Road, west of Greenville Avenue.

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

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

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

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Blaydes abstain; Loza absent on city business, Salazar absent when vote taken)

Assigned ORDINANCE NO. 25624.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1846

Item 43: Public Hearing – Zoning Case Z034-210 (MJF)

A public hearing was called on zoning case Z034-210 (MFJ), an application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school use and R-7.5(A) Single Family District uses and termination of Specific Use Permit No. 942 for a public school on property zoned an R-7.5(A) Single Family District, located southeast of Magna Vista Drive, south of Van Cleave Drive and southwest of Tips Boulevard.

(The city plan commission recommended approval, of a Planned Development District, subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 942.

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

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

The following individual addressed the city council regarding zoning case Z034-210 (MJF):

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Blaydes abstain; Loza absent on city business, Salazar absent when vote taken)

Assigned ORDINANCE NO. 25625 and ORDINANCE NO. 25626.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1847

Item 44: Public Hearing - BENEFIT ASSESSMENT HEARINGS

A benefit assessment hearing to receive citizens' comments on street paving, storm drainage, water and wastewater adjustments on Harlandale Avenue from E. Missouri Avenue to E. Ohio Avenue, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Camino Construction, LP, lowest responsible bidder of five - \$138,999 - Financing: 2003 Bond Funds (\$135,909), Water Utilities Capital Construction Funds (\$3,090)

No one appeared in opposition to or in favor of the proposed improvements or the assessments.

Councilmember Thornton Reese moved to close the public hearing, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

Motion seconded by Councilmember Chaney and unanimously adopted. (Loza absent on city business; Salazar, Blaydes absent when vote taken)

Assigned ORDINANCE NO. 25627.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1848

Item 45: MISCELLANEOUS HEARINGS

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

The following individuals addressed the city council regarding Comcast Cable:

Sydney Kay, 5718 Harvest Hill Rd.
Harold Hancock, 11244 Webb Chapel Ct.
James Roberts, 6846 Hyde Park, representing Salesmanship Club
Katherine Nemec, 10707 Webster Terrace
Douglas Cornell, 1001 Frost Hallow Dr., DeSoto

Councilmember Chaney moved to close the public hearing.

Motion seconded by Councilmember Garcia and unanimously adopted. (Loza absent on city business)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1849

Item 46: MISCELLANEOUS HEARINGS

A public hearing to receive citizens' comments, and an ordinance 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-sponsored youth programs in compliance with State law - Financing: No cost consideration to the City

No one addressed the city council regarding the City Youth Program Standards of Care.

Councilmember Thornton Reese moved to close the public hearing.

Motion seconded by Councilmember Salazar and unanimously adopted. (Loza absent on city business)

Assigned ORDINANCE NO. 25628.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1850

Creation of Reinvestment Zone No. 60

Note: Item Nos. 47, 48, & 49
must be considered collectively.

- Item 47: * 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 business personal property tax abatement to Lavoie Corporation dba EPI Breads - Financing: No cost consideration to the City
- Item 48: * 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 business personal property tax abatement to Lavoie Corporation dba EPI Breads establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

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

Councilmember Oakley moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Loza absent on city business.

Assigned ORDINANCE NO. 25629.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1851

Creation of Reinvestment Zone No. 60

Note: Item Nos. 47, 48, & 49
must be considered collectively.

Item 49: * 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 approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Loza absent on city business)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1852

Item 50: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing all nominations and re-nominations received for city boards and commissions appointments for the 2003-2005 board term updated through June 9, 2004.

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

Councilmember Greyson moved to appoint Jim Mitchell, chair, to the Environmental Health Commission.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Loza absent on city business)

Councilmember Lill moved to appoint all the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 2005.

Motion seconded by Councilmember Greyson and unanimously adopted. (Loza absent on city business; Hill, Griffith, Finkelman absent when vote taken.)

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

04-1867 EHC ENVIRONMENTAL HEALTH COMMISSION
04-1868 YAC YOUTH COMMISSION
04-1869 Board Officers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1853

Item 51: Authorize an extension of the moratorium on the acceptance of applications for permits or certificates of appropriateness for a kiosk or kiosk signs to be located in the city - Financing: No cost consideration to the City (Requires a 3/4 vote of the full City Council for approval)

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Loza absent on city business; Griffith absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1854

Item 52: Authorize hardship relief for property located at 2819 Ft. Worth Avenue 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 Oakley moved to defer the item until the June 23, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Garcia and unanimously adopted. (Loza absent on city business)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1855

Item 53: Authorize Business Assistance Center (BAC) contracts with (1) Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$80,000 to continue management and operation of BAC #1 located at 4622 Maple Avenue; and (2) MBA Consultants, Inc. in an amount not to exceed \$80,000 to continue management and operation of BAC #5 located at 1201 W. Camp Wisdom - Total not to exceed \$160,000 - Financing: 2003-04 Community Development Grant Funds

Deputy Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Loza absent on city business)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1856

Item 54: Authorize (1) an ordinance amending Chapter 34 of the Dallas City Code to revise the wage supplementation program to discontinue payments after 52 weeks; and, (2) an increase in appropriations in the amount of \$212,500, from \$813,187,093 to \$813,399,593 in the General Fund to provide wage supplementation benefits to workers injured on the job who receive treatment - Not to exceed \$212,500 - Financing: Contingency Reserve Funds

Councilmember Garcia moved to pass the ordinance.

Motion seconded by Councilmember Griffith.

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

| | | |
|--------------------------|------|--|
| Voting Yes: | [14] | Miller, Hill, Garcia Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Griffith, Blaydes, Finkelman, Greyson, Rasansky, Lill |
| Voting No: | [0] | |
| Absent on city business: | [1] | Loza |

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25630.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1857

Item 55: 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 deny the item without prejudice.

Motion seconded by Councilmember Garcia and unanimously adopted. (Loza absent on city business; Griffith absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1858

Addendum addition 1: Authorize a twenty-four-month price agreement for ultra low sulfur diesel fuel from Valero Marketing & Supply Company - Sole Source - Not to exceed \$3,660,500 - Financing: Current Funds (to be partially reimbursed by Texas Emission Reduction Plan Grant Funds)

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1859

Addendum addition 2: Authorize application for and acceptance of a grant from the North Central Texas Council of Governments' See Less Trash Regional Solid Waste Management Plan: FY2005 Request for Projects for Implementation for the Environmental Enforcement Officer to Stop Illegal Dumping of Boats program to fund an environmental enforcement officer to further combat all aspects of illegal dumping and associated environmental violations for the period September 1, 2004 through June 30, 2005, and execution of the grant agreement - \$58,439 - Financing: North Central Texas Council of Government Grant Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1860

Addendum addition 3: Authorize application for and acceptance of a grant from the North Central Texas Council of Governments for the Stop Illegal Dumping of Boats program to remove and properly dispose of boats contaminating the Trinity River Basin in the southeast section of the City of Dallas in Dallas County for the period September 1, 2004 through June 30, 2005; and execution of the grant agreement - \$45,600 - Financing: North Central Texas Council of Governments Grant Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1861

Addendum addition 4: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Joe C. Tooley, Attorney and Counselors for additional legal services and related expenses necessary in the lawsuit styled Reynolds v. City of Dallas, Civil Action No. 3:01-CV-2424-P, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$25,000, from \$15,000 to \$40,000 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1862

Addendum addition 5: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of White & Wiggins, L.L.P. for additional legal services and related expenses necessary in the lawsuit styled Keith B. Burkins v. City of Dallas and Roger A. Rudloff, Civil Action No. 3:00-CV-2377-L, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$90,000, from \$40,000 to \$130,000 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1863

Addendum addition 6: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Joe C. Tooley, Attorney and Counselors for additional legal services and related expenses necessary in the lawsuit styled Jacinto Jesus Mejia v. City of Dallas, et al., Civil Action No. 3:03-CV-0352-L, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$35,000, from \$15,000 to \$50,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1864

Addendum addition 7: Authorize a membership agreement in the DFW Electric Consumer Coalition in the amount of \$10,000 and Electric Reliability Council of Texas in the amount of \$2,000 - Total not to exceed \$12,000 - Financing: Aviation Current Funds (\$1,200), Convention and Event Services Current Funds (\$1,200), Current Funds (\$3,600) and Water Utilities Current Funds (\$6,000)

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

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

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Loza absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1865

Addendum addition 8: Authorize (1) adoption of the preliminary FY 2004-05 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$41,372,781 (which includes the June 2, 2004 City Council straw votes on the following amendments: amendment A withdrawn, amendment B passed, amendment C held for further discussion, and amendment D passed) for the following programs and estimated amounts: Community Development Block Grant (\$26,123,564), HOME Investment Partnerships Program (\$10,100,242), American Dream Down-Payment Initiative (\$1,164,409), Housing Opportunities for Persons with AIDS (\$3,192,000), and Emergency Shelter Grant (\$792,566); and proposed FY 2003-04 Reprogramming Budget in the amount of \$779,018; and (2) a public hearing to be held on June 23, 2004 to receive citizens' comments on the proposed use of funds - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Fantroy.

Councilmember Rasansky moved to substitute for Councilmember Chaney's motion a motion to:

Reduce Line #54 Unspecified Neighborhood Investment Program (projects to be determined by \$1,318,575; **Increase** Line #69 CDBG Support Indirect Costs by \$750,000 and **Increase** Line #71 Section 108 Intown Housing Debt Service by \$568,575.

Motion seconded by Councilmember Finkelman.

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

| | | |
|--------------------------|-----|--|
| Voting Yes: | [5] | Miller, Finkelman, Greyson, Rasansky, Lill |
| Voting No: | [8] | Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Blaydes |
| Absent on city business: | [1] | Loza |
| Absent when vote taken: | [1] | Griffith |

Mayor Miller declared the motion failed.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Mayor Miller called the vote on the original motion:

| | | |
|--------------------------|------|--|
| Voting Yes: | [12] | Miller, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Blaydes, Finkelman, Greyson, Lill |
| Voting No: | [1] | Rasansky |
| Absent on city business: | [1] | Loza |
| Absent when vote taken: | [1] | Griffith |

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 2004

04-1866

Addendum addition 9: A resolution appointing Mary K. Suhm as Interim City Manager for the City of Dallas

Mayor Miller called a recess of the meeting in order that the city council could meet in executive session under Section 511.074 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 Finkelman moved to approve the resolution.

Motion seconded by Councilmember Oakley and unanimously adopted. (Loza absent on city business.)

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 9, 2004

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS