

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 2004

04-2220

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 9:22 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 6:40 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 2004

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 2004

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2221

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: Albert Parker, 6319 Elam Rd.
SUBJECT: U.S. grant money accountability

SPEAKER: Rich Sheridan, 3022 Forest Ln.
SUBJECT: The homeless and non-profit/Reunion Arena Gambling Casino

SPEAKER: Roy Williams, 5881 Prestonview Blvd.
REPRESENTING: Dallas County Green Party
SUBJECT: 14-1 vs Strong Mayor

SPEAKER: Marvin Crenshaw, 5134 S. Malcolm X Blvd.
REPRESENTING: Citizens Organized for Representative Democracy
SUBJECT: Strong Mayor

SPEAKER: Louella Wells, 6018 Lazy River Dr.
SUBJECT: Lazy River Flooding

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Ken Carden, 5771 Berkshire Ln.
SUBJECT: Accessible parking regulations

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

SPEAKER: Tom Gibbons, 7947 Cliffbrook Dr.
SUBJECT: Items discussed at previous City Council Meetings

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Code violations against the Mayor/KKK/Director of Environmental Health

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2222

Item 1: Approval of Minutes of the June 23, and the June 28, 2004 City Council Meetings

Councilmember Blaydes moved to approve the June 28, 2004 special city council meeting minutes and postpone the approval of the June 23, 2004 city council minutes until the August 25, 2004 city council meeting, to allow the city secretary to review the meeting tape to clarify Councilmember Thornton Reese's concern regarding addendum addition 15: An ordinance amending Chapter 13 of the Dallas City Code to require all associate and full-time municipal judges including the administrative municipal judge, to reside in the City of Dallas and Councilmember Greyson's correction on agenda item 92, that Councilmember Oakley moved to close the public hearing and follow the recommendation of the city plan commission.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2223

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-92 and addendum addition consent agenda items 1-9, were presented for consideration.

The city secretary announced that the city manager had deleted consent agenda items 3 and 82 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 7 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Greyson requested that consent agenda item 13 and addendum addition item 8 be considered as individual items. Mayor Miller stated that consent agenda item 13 and addendum addition 8 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Rasansky requested that consent agenda items 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 64, 66, 75 and 76 be considered as individual items. Mayor Miller stated that consent agenda items 38, 39, 40, 41, 42, 33, 44, 45, 46, 47, 48, 49, 50, 51, 52, 64, 66, 75 and 76 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Miller requested that consent agenda item 86 be considered as an individual item. Mayor Miller stated that consent agenda item 86 be considered as an individual item later in the meeting, there being no objection voiced to her request.

Councilmember Oakley moved to approve all items on the consent agenda with the exception of consent agenda items 3 and 82 which was deleted, consent agenda item 7, which was deferred, consent agenda items, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 64, 66, 75, 76 and 86 and addendum addition item 8 which would be considered later in the meeting.

Motioned seconded by Councilmember Garcia and unanimously adopted. (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2224

Item 2: Authorize (1) a professional services contract with Washington Group International, Inc. to provide engineering services for bicycle and pedestrian enhancements, including a pedestrian bridge over Interstate 635, from Audelia Road to the LBJ/Skillman DART Transit Station, (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$168,807, and (3) an increase in appropriations in the amount of \$168,807 in the Capital Projects Reimbursement Fund - Total not to exceed \$211,009 - Financing: 2003 Bond Funds (\$42,202), Texas Department of Transportation Funds (\$168,807)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2225

Item 3: Authorize a professional services contract with BOKA Powell LLC for an economic development plan and an architectural analysis plan for the Dallas Farmers Market - \$131,500 - Financing: 2003 Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2226

Item 4: Authorize a contract for gabion erosion protection for the bridge at Tenison Park Glen Golf Course located at 3501 Samuell Boulevard - Craig Olden, Inc., lowest responsible bidder of three - \$176,718 - Financing: Park Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2227

Item 5: Authorize a contract for furniture and fixtures for the replacement Lancaster Kiest Branch Library located at 2008 E. Kiest Boulevard - Cultural Surroundings, only bidder - \$132,155 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2228

Item 6: Authorize a contract for site work and utility construction at the new Animal Shelter located at 1701 N. Westmoreland Road - AUI Contractors, L.P., lowest responsible bidder of three - \$717,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2229

Item 7: Authorize a contract with TXU Electric Delivery Company to provide burial of overhead power lines adjacent to the new Animal Shelter site located at 1701 N. Westmoreland Road - \$110,060 - Financing: 1998 Bond Funds

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 7 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2230

Item 8: Authorize a contract for the construction of water and wastewater main replacements in the lower west White Rock Creek area, Phase 3 - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of four - \$3,976,749 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2231

Item 9: Authorize Supplemental Agreement No. 2 to the contract with AYC Ltd. for the completion of electrical installation and install decorative marbles in base pool of sculpture at the Jack Evans Police Headquarters located at 1400 South Lamar - \$24,990, from \$210,000 to \$234,990 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2232

Item 10: Authorize an increase in the contract with Tiseo Paving Company for the construction of additional reinforced concrete pavement and street lighting improvements on Trinity Mills Road from Midway Road to Dallas North Tollway - \$69,687, from \$584,440 to \$654,127 - Financing: Capital Projects Reimbursement Funds (to be reimbursed by Collin County)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2233

Item 11: Authorize an increase in the contract with Starling Richardson Construction, Inc. to upgrade interior lighting fixtures and exterior windows of the Street Maintenance Facility at the Southeast Service Center located at 2721 Municipal Street - \$102,907, from \$3,618,512 to \$3,721,419 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2234

Item 12: Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for testing and balancing of the chilled water system improvements at the Dallas Convention Center - \$26,900, from \$451,200 to \$478,100 - Financing: Convention and Event Services Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2235

Item 13: Authorize Supplemental Agreement No. 1 to the professional services contract with Chiang, Patel and Yerby, Inc. to provide engineering services to update the 2000 Dallas Long Range Water Supply Plan - \$341,530, from \$799,574 to \$1,141,104 - Financing: Water Utilities Capital Construction Funds

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

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

The following individual addressed the city council regarding the item:

Beth Johnson, 3363 Darbyshire Dr., representing Water Conservation Coalition

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2236

Item 14: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for work associated with the basin complex and building improvements at the Central Wastewater Treatment Plant - \$411,285, from \$10,447,000 to \$10,858,285 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2237

Item 15: Authorize an increase in the contract with Eagle Contracting, L.P. for anaerobic digester improvements at the Southside Wastewater Treatment Plant - \$130,067, from \$26,059,290 to \$26,189,357 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2238

Item 16: Authorize the City Manager to initiate a Request for Competitive Sealed Proposals project delivery method for repairs to the tower at the Tower Building at Fair Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2239

Item 17: Authorize adoption of the 2004 Schedule "A" Prevailing Wage Rates for public building construction for the City of Dallas as the minimum acceptable on "public works" projects - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2240

Item 18: Authorize adoption of the 2004 Schedule "B" Prevailing Wage Rates for public engineering (Highway/Heavy) construction for the City of Dallas as the minimum acceptable on "public works" projects - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2241

Item 19: Authorize an Interlocal Agreement with the Texas Department of Transportation, Dallas, Garland and Northeastern Railroad Company, and Dallas Area Rapid Transit for paving improvements at the railroad crossing that intersects Shorecrest Drive southwest of Denton Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2242

Item 20: Authorize payment to Dallas County for the City's share of construction of paving, drainage, water and wastewater main improvements on Jim Miller Road from Loop 12 to Elam Road - \$1,221,776 - Financing: 1998 Bond Funds (\$950,000), Water Utilities Capital Improvement Funds (\$271,776)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2243

Item 21: Authorize the rejection of bids for the Love Field Main Terminal Building heating, ventilation, air conditioning and electrical system upgrade and renovation and the readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2244

Item 22: Authorize the rejection of bids for historical restoration of the facade of the Gulf States Building located at 1415 Main Street, and the readvertisement for new bids -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2245

Item 23: Authorize a professional services contract with DMJM Aviation for engineering design services and preparation of construction documents for the Hensley Field Airfield improvements - \$328,335 - Financing: Hensley Field Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2246

Item 24: Authorize the acceptance of a Defense Economic Adjustment Assistance Grant from the Office of the Governor, Economic Development and Tourism Office for runway improvements at Hensley Field and execution of the grant agreement - \$462,222 - Financing: Texas Defense Economic Adjustment Assistance Grant Program Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2247

Item 25: Authorize (1) an agreement with Wood County Electric Cooperative for electric service to Lake Fork Pump Station, and (2) a contract with Wood County Electric Cooperative for the design and construction of a 30 megavolt-amp substation - \$2,700,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2248

Item 26: **IH 20 Frontage Roads**

Note: Item Nos. 26 & 27 must be considered collectively.

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for the construction of IH 20 Frontage Roads from Bonnie View Road to J.J. Lemmon Road - \$3,686,165 - Financing: 2003 Bond Funds (\$2,923,905), 1998 Bond Funds (\$762,260)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2249

Item 27: **IH 20 Frontage Roads**

Note: Item Nos. 26 & 27 must be considered collectively.

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for the construction of IH 20 Frontage Roads from IH 35E to Lancaster Road - \$1,166,712 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2250

Item 28: Authorize settlement, in lieu of proceeding to a jury trial in an eminent domain case in the total amount of \$600,000, of which \$520,000 was previously authorized on May 9, 2001 by Resolution No. 01-1409, for the acquisition from BHP Investments, Inc. of approximately 4 acres of land improved with a 38-unit motel located near the intersection of Eighth and Corinth Streets needed for the Trinity River Corridor project - \$80,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2251

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Promociones Rio Nilo USA, Inc. of 23 acres of vacant land for the Elm Fork Soccer Complex project located near the intersection of Walnut Hill and Goodnight Lanes - \$2,750,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2252

Item 30: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 3 tracts of vacant land containing a total of approximately 87 acres for the Elm Fork Soccer Complex project located near the intersection of Walnut Hill and Goodnight Lanes - \$7,110,463 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2253

Item 31: Authorize the deposit of a Special Commissioners= Award for acquisition of an easement from Pop Investments, LLC containing approximately 4,999 square feet of land located near the intersection of State Highway 190 and Preston Road needed for the water main from the Highland elevated water tank to State Highway 190 - \$30,220 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2254

Item 32: Authorize settlement, in lieu of proceeding to a jury trial in an eminent domain case in the total amount of \$44,858, of which \$39,599 was previously authorized on March 28, 2001 by Resolution No. 01-0979, for the acquisition from Tamko Roofing Products, Inc. of 2 tracts of land containing approximately 24,623 square feet of land located near the intersection of Linfield Road and State Highway 310 needed for the South Central Addition Improvements project - \$5,259 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2255

Item 33: Authorize settlement, in lieu of proceeding with condemnation, with William R. Floyd, Carolyn Coleman and William R. Floyd, Jr., for a tract of land containing approximately 6,250 square feet for the Singleton Boulevard Improvement project located near the intersection of Singleton Boulevard and Topeka Avenue - \$25,375 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2256

Item 34: A resolution declaring approximately 2,429 square feet of undevelopable City-owned land located at 1901 Irving Boulevard near its intersection with Turtle Creek Boulevard, unwanted and unneeded and authorize its sale to Sawyer Development Group, L.P., the abutting owner - Revenue: \$9,792

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2257

Item 35: A resolution declaring approximately 2,433 square feet of undevelopable City-owned land located at 1901 Irving Boulevard near its intersection with Turtle Creek Boulevard, unwanted and unneeded and authorize its sale to TDG Events, Inc., the abutting owner - Revenue: \$9,808

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2258

Item 36: An ordinance abandoning a portion of a drainage easement to McHale Properties, Inc. and New Saint Paul Missionary Baptist Church, the abutting owners, containing approximately 18,965 square feet of land located near the intersection of Pensive Drive and Carry Back Circle, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25664.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2259

Item 37: An ordinance abandoning a portion of an alley to True Lee Missionary Baptist Church, the abutting owner, containing approximately 2,621 square feet of land located near the intersection of Bertrand Avenue and Imperial Street, providing for the dedication of approximately 2,442 square feet of land needed for alley right-of-way, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25665.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2260

Item 38: An ordinance granting a license to TPI, Inc. to install, operate and maintain self-service newsracks for the distribution of publications upon street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Councilmember Rasansky requested that consent agenda item 38 be considered as an individual item. Mayor Miller stated that consent agenda item 38 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 38 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25666.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2261

Item 39: An ordinance granting renewal of a revocable license to Gannett Satellite Information Network, 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 Rasansky requested that consent agenda item 39 be considered as an individual item. Mayor Miller stated that consent agenda item 39 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25667.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2262

Item 40: An ordinance granting renewal of a revocable license to Helen Gordon Interests, Ltd. 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 Rasansky requested that consent agenda item 40 be considered as an individual item. Mayor Miller stated that consent agenda item 40 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25668.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2263

Item 41: An ordinance granting renewal of a revocable license to Hearst Newspapers Partnership, L.P. 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 Rasansky requested that consent agenda item 41 be considered as an individual item. Mayor Miller stated that consent agenda item 41 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 41 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25669.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2264

Item 42: An ordinance granting renewal of a revocable license to Tribune Publishing, 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 Rasansky requested that consent agenda item 42 be considered as an individual item. Mayor Miller stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25670.

Note: [Councilmember Thornton Reese stated that the President of the Tribune Publishing Inc. is Dr. Theodore Lee, not Gary Maltzberger.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2265

Item 43: An ordinance granting renewal of a revocable license to Mockingbird Press, Inc. to 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 Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Miller stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 43 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25671.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2266

Item 44: An ordinance granting a license to Lance Brennan to install, operate and maintain self-service newsracks for 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 Rasansky requested that consent agenda item 44 be considered as an individual item. Mayor Miller stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

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

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25672.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2267

Item 45: An ordinance granting renewal of a revocable license to Dow Jones & 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

Councilmember Rasansky requested that consent agenda item 45 be considered as an individual item. Mayor Miller stated that consent agenda item 45 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 45 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25673.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2268

Item 46: An ordinance granting a license to Haas Publishing Companies, 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 Rasansky requested that consent agenda item 46 be considered as an individual item. Mayor Miller stated that consent agenda item 46 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 46 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25674.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2269

Item 47: An ordinance granting renewal of a revocable license to La Subasta, 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 Rasansky requested that consent agenda item 47 be considered as an individual item. Mayor Miller stated that consent agenda item 47 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 47 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25675.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2270

Item 48: An ordinance granting a license to Park Cities News Corporation of Texas to install, operate and maintain self-service newsracks for 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 Rasansky requested that consent agenda item 48 be considered as an individual item. Mayor Miller stated that consent agenda item 48 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 48 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25676.

OFFICIAL ACTION OF THE DALLAS CITY COUCNIL

August 11, 2004

04-2271

Item 49: An ordinance granting a license to Urban Publishers, Inc. to install, operate and maintain self-service newsracks for 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 Rasansky requested that consent agenda item 49 be considered as an individual item. Mayor Miller stated that consent agenda item 49 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 49 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25677.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2272

Item 50: An ordinance granting renewal of a revocable license to The Dallas Morning News, L.P. to 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 Rasansky requested that consent agenda item 50 be considered as an individual item. Mayor Miller stated that consent agenda item 50 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 50 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25678.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2273

Item 51: An ordinance granting renewal of revocable license to Star-Telegram Operating, Ltd. to install, operate and maintain self-serve 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 Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Miller stated that consent agenda item 51 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 51 was brought up for consideration.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

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

Mayor Miller declared the motion adopted.

Councilmember Chaney moved to reconsider the vote on consent agenda items 38-51 to allow Councilmember Thornton Reese to cast her vote.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted.

Councilmember Finkelman moved to approve consent agenda items 38-51.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25679.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2274

Item 52: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a portion of a tract of land for construction of the Inwood Road Principal Arterial Street System project located at the intersection of Inwood and Forest Park Roads - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 52 be considered as an individual item. Mayor Miller stated that consent agenda item 52 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 52 was brought up for consideration.

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2275

Item 53: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit (DART) of 5 tracts of land for the construction of the DART Northwest Corridor Line Section of its Light Rail System located near the intersections of Kimsey at Denton Drives and Wycliff Avenue at Harry Hines Boulevard (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2276

Item 54: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of portions of 2 tracts of land for construction of the Mockingbird Lane Principal Arterial Street System project located at the intersection of Mockingbird Lane and Cedar Springs Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2277

Item 55: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit (DART) of 2 tracts of land for the construction of the DART Southeast Corridor Line Section of its Light Rail System located near the intersections of Hatcher at Kenilworth Streets and South Boulevard at Trunk Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2278

Item 56: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of portions of 4 tracts of land for construction of the Lemmon Avenue Principal Arterial Street System project located near the intersection of Lemmon and Wycliff Avenues - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2279

Item 57. Authorize the quitclaim of 22 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders - Revenue: \$380,307

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2280

Item 58: An ordinance releasing non-tax City liens against 2 privately held vacant properties located at 2634 and 2638 Clymer Street, in exchange for Vecinos Unidos, Inc. paying all delinquent taxes, penalties and interest on the properties and providing affordable housing on the properties for low income households in accordance with the City's Land Transfer Policy and Program Statement - Estimated revenue foregone: \$12,503

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25698.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2281

Item 59: Authorize a thirty-six-month renewal and extension of the lease agreement with Galt II, L.P. for the continued use of approximately 1,121 square feet of office space located at 8500 Stemmons Freeway to be used by the Police Department from September 1, 2004 through August 31, 2007 - \$53,820 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2282

Item 60: Authorize an Interlocal Agreement with the City of Fort Worth to create a Cooperative Purchasing Program that allows the Cities of Dallas and Fort Worth to purchase from each other's contracts for goods and services when economical -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2283

Item 61: Authorize the purchase of the Lee Marion Butts, Sr. Photographic Collection for the Central Library from Florence Butts - Sole Source - Not to exceed \$152,385 - Financing: Kahn Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2284

Item 62: Authorize the purchase of six plasma monitors, mounting kits, and speaker sets, for the display of information for visitors of the Dallas Convention Center from the lowest responsible bidder of twelve - Perlmutter Purchasing Power - Not to exceed \$60,354 - Financing: Convention and Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2285

Item 63: Authorize a thirty-six-month Citywide maintenance agreement at fixed prices to provide 24-hour/7 days a week service on computer terminals and printers, including control units and peripheral equipment with the most advantageous proposer of two - Data Applications Corporation - Not to exceed \$465,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2286

Item 64: Authorize Supplemental Agreement No. 1 to the Master Lease Agreement with Dell Marketing L.P. to lease computer hardware - \$1,000,000, from \$4,000,000 to \$5,000,000 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 64 be considered as an individual item. Mayor Miller stated that consent agenda item 64 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 64 was brought up for consideration.

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

Councilmember Fantroy moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Rasansky abstain; Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2287

Item 65: Authorize the purchase of ten thermal imaging camera systems for the Dallas Fire Department from the lowest responsible bidder of four - ADH Marketing - Not to exceed \$128,500 - Financing: Homeland Security Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2288

Item 66: Authorize a thirty-six-month service contract to (1) investigate and provide solutions for increasing billable revenues for Dallas Water Utilities and (2) repair and replace defective water meters with the only proposer - Utility Revenue Management Company, Inc. - Estimated Annual Net Revenue: \$940,000

Councilmember Rasansky requested that consent agenda item 66 be considered as an individual item. Mayor Miller stated that consent agenda item 66 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 66 was brought up for consideration.

Deputy Mayor Pro Tem Hill moved to approve the item.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[10]	Loza, Hill, Garcia, Thornton Reese, Salazar, Chaney, Fantroy, Blaydes, Finkelman, Lill
Voting No:	[3]	Miller, Greyson, Rasansky
Absent when vote taken:	[1]	Oakley
Absent:	[1]	Griffith

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2289

Item 67: Authorize a thirty-six-month service contract for janitorial services at the Dallas Convention Center, Reunion Arena and Farmers Market with the lowest responsible bidder of seven - United Building Maintenance, Inc. - Not to exceed \$7,872,076 - Financing: Convention and Event Services Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2290

Item 68: Authorize a sixty-month service contract for janitorial services at City Hall and various locations including police stations, police storefronts, service centers and libraries with the lowest responsible bidder of nine - United Building Maintenance, Inc. - Not to exceed \$8,475,278 - Financing: Current Funds (\$7,836,815) and Water Utilities Current Funds (\$638,463)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2291

Item 69: Authorize (1) participation in the U.S. Communities Government Purchasing Alliance Administrative Agreement, and (2) a twenty-four-month price agreement for janitorial equipment and supplies - Not to exceed \$766,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2292

Item 70: Ratify emergency roof replacement and repairs on the Fire Department Clothing Store, Building "P" located at 5000 Dolphin Road - Castro Roofing of Texas, Inc., lowest responsible bidder of three - \$135,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2293

Item 71: Authorize application for and acceptance of Federal Aviation Administration Airport Improvement Grant Funds for eligible costs associated with the airfield surfaces repair project at Dallas Love Field Airport - Not to exceed \$3,353,333 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2294

Item 72: Authorize (1) the acceptance of a grant from the U. S. Environmental Protection Agency (EPA) and (2) a Financial Assistance Agreement with the EPA for the assessment grant for Brownfields, to provide funding for Phase I and II environmental site assessments - Not to exceed \$200,000 - Financing: U. S. Environmental Protection Agency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2295

Item 73: Authorize a boundary adjustment agreement with the City of Mesquite for property owned by the Lawson Road Baptist Church along E. Lawson Road to allow all of the church property to be located within the corporate limits of the City of Dallas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25680.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2296

Item 74: An ordinance authorizing a correction to Ordinance No. 25574 for a Planned Development District for a public school other than an open enrollment charter school and MF-2(A) Multifamily District uses on the northeast corner of the intersection of Beckley Avenue and Ninth Street, including property on the east corner of Ninth Street and Storey Street and property north of Ninth Street and Crawford Street to correct the conditions related to off-street parking (Z034-139) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25680.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2297

Item 75: **Cedars TIF District**

Note: Item Nos. 75 & 76 must be considered collectively.

- * Authorize (1) a development agreement with Bennett Miller Town Homes LP to provide for public use infrastructure replacement and enhancements related to the redevelopment of 1500, 1506, and 1510 McKee Street in Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), in an amount not to exceed \$41,950; and (2) the establishment of appropriations in the amount of \$41,950 in the Cedars TIF District Fund - Total not to exceed \$41,950 - Financing: Cedars TIF District Funds (to be advanced by a private developer and reimbursed from the Cedars TIF District Fund)

Councilmember Rasansky requested that consent agenda item 75 be considered as an individual item. Mayor Miller stated that consent agenda item 75 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 75 was brought up for consideration.

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

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Rasansky abstain; Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2298

Item 76: **Cedars TIF District**

Note: Item Nos. 75 & 76 must be considered collectively.

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), to reimburse Bennett Miller Town Homes LP for funds advanced pursuant to a development agreement with Bennett Miller Town Homes LP in an amount not to exceed \$41,950 plus interest, for public use infrastructure replacement and enhancements related to the redevelopment of 1500, 1506, and 1510 McKee Street in the Cedars TIF District - \$41,950 - Financing: To be advanced by a private developer and reimbursed solely from the Cedars TIF District Fund; accrued interest on private funds to be repaid solely from the Cedars TIF District Fund

Councilmember Rasansky requested that consent agenda item 76 be considered as an individual item. Mayor Miller stated that consent agenda item 76 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 76 was brought up for consideration.

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

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Rasansky abstain; Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2299

Item 77: Authorize a contract with AIDS Interfaith Network, Inc., to provide a citywide HIV/AIDS education, outreach, and prevention program targeting primarily high-risk African American and Hispanic populations for the period October 1, 2004 through September 30, 2005, with an option to renew for two additional one-year terms - Not to exceed \$90,000 - Financing: 2004-05 Community Development Grant Funds (\$75,000) (subject to appropriations) and Current Funds (\$15,000)(subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2300

Item 78: Authorize contracts with recipients of the 2004-05 Emergency Shelter Grant Funds allocated to the City of Dallas for the period October 1, 2004 through September 30, 2005 - Not to exceed \$464,658 - Financing: 2004-05 Emergency Shelter Grant Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2301

Item 79: Authorize an Interlocal Agreement with the Dallas County Health and Human Services Department for services of an epidemiologist to identify and report on the number of new cases of HIV/AIDS for the period October 1, 2004 through September 30, 2005 - Not to exceed \$44,484 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2302

Item 80: Authorize the first twelve-month renewal option to the contract with Homeward Bound, Inc. to provide residential substance abuse treatment to low-income and uninsured adults for the period October 1, 2004 through September 30, 2005 - Not to exceed \$99,442 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2303

Item 81: Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with Dallas County, to reallocate funds from the Supportive Services and Program Administration categories to the Housing Facilities Operation category of the Housing Opportunities for Persons with AIDS funds contracted to Dallas County under the FY 2001-02 Consolidated Plan Budget, with no change to the total contract amount - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2304

Item 82: Authorize the second twelve-month renewal option to the contract with Ward North America Holding, Inc. for workers' compensation and third party liability claims service for the period of October 1, 2004 through September 30, 2005 - \$2,743,000 - Financing: Workers' Compensation Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2305

Item 83: Authorize (1) a public hearing to be held on October 13, 2004 to receive citizens= comments on the proposed City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and (2) at the close of the public hearing, consideration of approval of the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2306

Item 84: Authorize (1) a public hearing to be held on August 25, 2004 to receive citizens' comments on the proposed private sale by quitclaim deed of 22 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization and (2) at the close of the public hearing, consideration of approval of the sale of these properties - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2307

Item 85: Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2004 through August 31, 2005 and execution of the grant agreement - Not to exceed \$479,730 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2308

Item 86: Authorize adoption of the final FY 2004-05 Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds in the amount of \$41,372,781 and final FY 2003-04 Reprogramming Budget in the amount of \$779,018 and authorization to apply for, accept, and take actions to implement FY 2004-05 HUD grant funds 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) - Financing: U.S. Department of Housing and Urban Development Grant Funds

Mayor Miller requested that consent agenda item 86 be considered as an individual item. Mayor Miller stated that consent agenda item 86 would be considered as an individual item later in the meeting, there being no objection voiced to her request.

Later in the meeting, agenda item 86 was brought up for consideration.

Councilmember Oakley moved to approve the item.

Motion seconded by Councilmember Garcia.

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

Voting Yes:	[11]	Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Chaney, Fantroy, Blaydes, Finkelman, Rasansky
Voting No:	[3]	Miller, Greyson, Lill
Absent:	[1]	Griffith

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2309

Item 87: Authorize a public hearing to be held on August 25, 2004 to receive citizens' comments in preparation of the FY 2004-05 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2310

Item 88: Authorize the acceptance of the Dallas Police Department Victim Services/4 grant from the Office of the Governor, Criminal Justice Division in the amount of \$32,974 to adequately respond to victims of violent crime with needed aid, for the period July 1, 2004 through June 30, 2005, a local match in the amount of \$13,751, and execution of the grant agreement - Total not to exceed \$46,725 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$32,974) and Current Funds (\$13,751)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2311

Item 89: Authorize application for and acceptance of the 2004 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Bureau of Justice Assistance for partial reimbursement of approved bulletproof vest purchases, for the period June 8, 2004 through September 30, 2008 - \$21,324 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2312

Item 90: **2004 Omnibus Appropriations Local Law Enforcement Block Grant** **Note:** Item Nos. 90 & 91 must be considered collectively.

- * Authorize the City of Dallas to submit a consolidated grant application between the City of Dallas and Dallas County in the amount of \$1,285,766 for the 2004 Omnibus Appropriations Local Law Enforcement Block Grant from the U. S. Department of Justice, Bureau of Justice Assistance, for crime prevention and improved public safety activities - City's share: \$900,036 (local cash match in the amount of \$100,004 will be required if awarded) Dallas County's share: \$385,730 (local cash match in the amount of \$42,859 will be required if awarded) - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2313

Item 91: **2004 Omnibus Appropriations Local Law Enforcement Block Grant** **Note:** Item Nos. 90 & 91 must be considered collectively.

- * Authorize a public hearing to be held on October 13, 2004, to receive citizens' comments on the 2004 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2314

Item 92: Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the user licensing rights for digital data from aerial photographs of surface features, including bridges, building footprints, lakes, parking lots, river edges, road edges, sidewalks and tree canopy for the City of Dallas - Total not to exceed \$218,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2315

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 93-100, were presented for consideration.

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

Agenda item 93:	Zoning Case Z023-203 (RB)	
Agenda item 94:	Zoning Case Z023-159 (MM)	
Agenda item 95:	Zoning Case Z034-105 (RB)	
Agenda item 96:	Zoning Case Z034-195 (RB)	
Agenda item 97:	Zoning Case Z034-215 (MM)	
Agenda item 98:	Zoning Case Z034-239 (DW)	
Agenda item 99:	Zoning Case Z034-241 (MM)	
Agenda item 100:	Zoning Case Z034-243 (MM)	[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 the city plan commission's recommendation.

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

William Hopkins, 2011 Leath St.

Councilmember Fantroy 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. (Griffith absent; Thornton Reese, Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2316

Item 93: Zoning Case Z023-203 (RB)

Zoning Case Z023-203 (RB), an application for and an ordinance granting a TH-2(A) Townhouse District a portion of the site zoned an R-10(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for Private streets on property zoned an R-10(A) Single Family District, a TH-1(A) Townhouse District, and a TH-2(A) Townhouse District; and an ordinance terminating a part of and amending the conditions for Specific Use Permit No. 28 for an Electrical substation, on property on the north side of Northwest Highway, east of Thornberry Lane.

(The city plan commission recommended of a TH-2(A) Townhouse District on a portion of the site and a resolution accepting deed restrictions volunteered by the applicant; approval of a Specific Use Permit for Private streets for a permanent time period, subject to a site plan and conditions; and approval of an amendment to and the termination of a portion of Specific Use Permit No. 28 for an Electrical substation.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25681, ORDINANCE NO. 25682 and ORDINANCE NO. 25683.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2317

Item 94: Zoning Case Z023-159 (MM)

Zoning Case Z023-159 (MM), an application to expand and amend Specific Use Permit No. 1167 for a Community Service Center on property zoned an R-7.5(A) Single Family District with consideration given for a Planned Development District for a Community Service Center and associated uses and ordinances granting a Planned Development District and the termination of Specific Use Permit No. 1167 on property on the north and south sides of Lyola Street, west of Blunter Street.

(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. 1167.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25684 and ORDINANCE NO. 25685.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2318

Item 95: Zoning Case Z034-105 (RB)

Zoning Case Z034-105 (RB), an application for and an ordinance granting a Specific Use Permit for a Refuse transfer station on property zoned an IM Industrial Manufacturing District on the north line of Overton Road, West of IH 45.

(The city plan commission recommended approval for a two-year period, subject to a site plan, landscape plan, and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25686.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2319

Item 96: Zoning Case Z034-195 (RB)

Zoning Case Z034-195 (RB), an application for and an ordinance granting a Specific Use Permit for a Community service center on property zoned an MF-1(A) Multifamily District located on the west corner of Holly Hill Drive and Pineland Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25687.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2320

Item 97: Zoning Case Z034-215 (MM)

Zoning Case Z034-215 (MM), an application for and an ordinance granting a Specific Use Permit for a monopole tower/antenna for cellular communication on property zoned a CR Community Retail District on the north side of Elam Road, east of Southgate Lane and west of Sunburst Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25688.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2321

Item 98: Zoning Case Z034-239 (DW)

Zoning Case Z034-239 (DW), an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an MU-1 Mixed Use District and Subarea 4 within Planned Development District No. 316, the Jefferson Area Special Purpose District, on the west side of Beckley Avenue, north of Sunset Boulevard.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25689.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2322

Item 99: Zoning Case Z034-241 (MM)

Zoning Case Z034-241 (MM), an application for and an ordinance granting a Specific Use Permit for an Auto Service Center in Subdistrict 2, Tract 1, of Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, with a Dry Liquor Control Overlay on the southwest corner of the intersection of C.F. Hawn Freeway and St. Augustine Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25690.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2323

Item 100: Zoning Case Z034-243 (MM)

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c) (2)(B) 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 approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of planning.

Later in the meeting, zoning docket item 100, was brought up for consideration.

A public hearing was called on zoning case Z034-243 (MM), an application for and an ordinance granting a Planned Development District for CR Community Retail District uses and NO(A) Neighborhood Office District uses on property zoned an R-10(A) Single Family District on the south side of Forest Lane between Cromwell Drive and Marsh Lane.

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

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

Dick Calvert, 1001 W. Main St., Carrollton

The following individual addressed the city council regarding zoning case Z034-243 (MM):

William Hopkins, 2011 Leath St.

Councilmember Rasansky 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. (Griffith absent; Chaney absent when vote taken)

Assigned ORDINANCE NO. 25691.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2324

Item 101: Public Hearing – Zoning Case Z034-231 (RB)

A public hearing was called on zoning case Z034-231 (RB), an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant on the east line of Jim Miller Road, north of Lovett Street.

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

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

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

Ramon Aranda, 2608 Squire Place, Farmers Branch, representing the applicant

Councilmember Thornton Reese moved to postpone the application until the August 25, 2004 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2325

Item 102: Public Hearing – Zoning Case Z034-240 (MM)

A public hearing was called on zoning case Z034-240 (MM), an application for and an ordinance granting a TH-3(A) Townhouse District on property zoned a CR-D-1 Community Retail District with Dry Liquor Control Overlay on the southwest corner of intersection of Military Parkway and Sam Houston Road.

(The city plan commission recommended approval.)

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

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

Michael Beaty, 4516 Lovers Ln.

Councilmember Thornton Reese moved to postpone the application until the August 25, 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. (Griffith absent; Hill, absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2326

Item 103: Public Hearing – Zoning Case Z034-223 (WE) - DALLAS INDEPENDENT SCHOOL DISTRICT

A public hearing was called on zoning case Z034-223 (WE), an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and MF-1(A) Multifamily District uses on property zoned an MF-1(A) Multifamily District on the south side of Fair Oaks Avenue, east of Pineland Drive.

(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

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.

Councilmember Rasansky moved to postpone the application until the August 25, 2004 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2327

Item 104: Public Hearing - BENEFIT ASSESSMENT HEARINGS

A benefit assessment hearing to receive citizens' comments for sidewalk paving, water and wastewater adjustments for Sidewalk Group 03-123, and at the close of the hearing, authorize an ordinance levying benefit assessments - Financing: 2003 Bond Funds (\$41,650), Water Utilities Capital Construction Funds (\$800), Water Utilities Capital Improvement Funds (\$4,450)

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

The following individual addressed the city council regarding the benefit assessment hearing:

William Hopkins, 2011 Leath St.

Councilmember Garcia moved to close the public hearing and pass the ordinance levying the assessments.

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

Assigned ORDINANCE NO. 25693.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2328

Item 105: Public Hearing

A public hearing to receive citizens' comments concerning the renewal of the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District or the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, consideration of (1) approval of a resolution renewing the Prestonwood Public Improvement District for a period of seven years, (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Prestonwood Homeowners Association, Inc., as the management entity for the Prestonwood Public Improvement District - Financing: No cost consideration to the City

No one addressed the city council regarding the Prestonwood Public Improvement District.

Councilmember Greyson moved to close the public hearing, approve the resolution renewing the Prestonwood Public Improvement District, approve the Service Plan, and a management contract with Prestonwood Homeowners Association Inc.

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

OFFICIAL ACTION FO THE DALLAS CITY COUCNIL

August 11, 2004

04-2329

Item 106: **Private Sale of Unimproved Properties**

Note: Item Nos. 106 & 107 must be considered collectively.

- * A public hearing to receive citizens= comments on the proposed private sale and conveyance by quitclaim deed of 3 unimproved properties acquired by the taxing authorities from the Sheriff=s Sale to Foundation for Housing Resources, Inc., a qualified non-profit organization - Financing: No cost consideration to the City

Item 107: * Authorize the private sale, as provided for by Section 253.010 of the Texas Local Government Code (Section 34.015 of the Texas Property Tax Code), and conveyance by quitclaim deed of 3 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to Foundation for Housing Resources, Inc., a qualified non-profit organization - Revenue: \$3,496

The following individuals addressed the city council regarding the private sale of unimproved properties:

John Morgan, (no address given), representing Foundation for Housing Resources, Inc.
Gwendolyn Jones, 546 Elkhart

Councilmember Oakley moved to close the public hearing and authorize the private sale of 551 Elkhart and 4803 E. Frio but not the sale of 1818 Ebbtide.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2330

Item 108: Public Hearing

A public hearing to receive citizens' comments on the proposed amendment and reallocation of Housing Opportunities for Persons with AIDS funds contracted to Dallas County under the FY 2003-04 Consolidated Plan Budget and at the close of the hearing authorize acceptance of the amendment and reallocation of funds - Financing: No cost consideration to the City

No one addressed the city council regarding the proposed amendment.

Mayor Pro Tem Loza moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2331

Item 109: 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 August 11, 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 Thornton Reese moved to appoint Alice F. Cox, Panel B, and Frank Madrigal, Panel C, vice chairs, to the Board of Adjustment, and appoint Ashley Parra, chair, to the Youth Commission.

Motion seconded by Councilmember Oakley and unanimously adopted.

Councilmember Salazar 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 Mayor Pro Tem Loza and unanimously adopted. (Griffith absent)

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

04-2359 JNC JUDICIAL NOMINATING COMMISISON
04-2360 Board Officers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2332

Item 110: Authorize an amendment to Kaufman County Municipal Utility Districts No. 2 and No. 3 previously approved on October 8, 2003, by Resolution No. 03-2751 to amend district boundaries in accordance with the amendment petition filed with the City of Dallas on July 13, 2004 - Financing: No cost consideration to the City

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2333

Item 111: Authorize hardship relief for property located at 3530 W. Davis 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 Garcia moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2334

Item 112: Authorize hardship relief for property located at 1032 W. Commerce 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 approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2335

Item 113: Authorize hardship relief for property located at 201 Yorktown 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 approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2336

Item 114: Authorize hardship relief for property located at 2303 Beckley 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 Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2337

Item 115: Authorize hardship relief for property located at 2351 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2338

Item 116: Authorize hardship relief for property located at 3071 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City

Councilmember Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2339

Closed Session

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

- Anthony Lynn Curlin v. Daniel Earl Maples, Jr., et al., Cause No. 3:02-CV-1997-H

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2340

Addendum addition 1: An ordinance amending Chapter 43, Article VII, "Certain Uses of Public Right-of-Way", of the Dallas City Code, substituting the term "cash deposit" for the term "escrow fund"; and providing for waiver of the requirement for a performance bond, letters of credit, or cash deposits - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25693.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2341

Addendum addition 2: An ordinance abandoning a portion of Armstrong Avenue to Powerhouse Partners, Ltd., the abutting owner, containing approximately 4,069 square feet of land located at its intersection with Buena Vista Street and authorizing the quitclaim - Revenue: \$96,842 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25694.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2342

Addendum addition 3: Authorize a two-month extension to the lease agreement with 8035 East RLT, L.P. for approximately 7,439 square feet of office space located at 8035 East R. L. Thornton Freeway used by the Food Protection and Education program for the period August 1, 2004 through September 30, 2004 - Not to exceed \$18,598 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2343

Addendum addition 4: Authorize settlement of the lawsuit styled Patricia Terry v. Jack R. Bragg, Jr. and City of Dallas, Cause No. 03-02882-K - \$15,000 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2344

Addendum addition 5: Authorize a professional services contract with PartnerSource, Inc. to evaluate the City's occupational injury programs including Workers' Compensation, wage supplementation, modified duty, leave of absence and paid time off - Not to exceed \$85,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2345

Addendum addition 6: Authorize Supplemental Agreement No. 5 to the professional services contract with the law firm of Carrington Coleman Sloman & Blumenthall, L.L.P. for additional legal services and related expenses necessary in the lawsuit styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$145,000, from \$850,000 to \$995,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2346

Addendum addition 7: Authorize payment of additional attorneys fees to Michael M. Daniel pursuant to Plaintiffs' Motion for Post-Judgment Attorney's Fees in the lawsuit styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H consolidated with Civil Action No. 3:98-CV-1763-H - Not to exceed \$75,000, from \$282,390 to \$357,390 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2347

Addendum addition 8: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide mosquito testing for West Nile Virus through October 31, 2004 - Not to exceed \$5,000 - Financing: Current Funds (subject to appropriations)

Councilmember Greyson requested that consent agenda addendum addition 8 be considered as an individual item. Mayor Miller stated that consent agenda addendum addition 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting, addendum addition 8 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2348

Addendum addition 9: Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center at Dallas for an outreach program to facilitate access of persons with HIV/AIDS to medical and social services for the period October 1, 2004 through September 30, 2005 - Not to exceed \$80,000 - Financing: 2004-05 Housing Opportunities for Persons with AIDS Grant Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2349

Addendum addition 10: 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-D-MD-1 Community Retail District with a Dry Liquor Control Overlay and a Modified Delta Overlay, an MF-2(A)-D-MD-1 Multifamily District with a Dry Liquor Control Overlay and a Modified Delta Overlay, an MC-D-MD-1 Multiple Commercial District with a Dry Liquor Control Overlay and 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)-D-MD-1 Multifamily District with a Dry Liquor control overlay and a Modified Delta Overlay and an MC-D-MD-1 Multiple Commercial District with a Dry Liquor control overlay and a Modified Delta Overlay, bounded by Greenville Avenue, Alta Street, Summit Avenue and Lewis Street with consideration given to and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses, TH-2(A) Townhouse District uses, and certain retail uses with retention of the D Dry Liquor Control Overlay and the MD-1 Modified Delta Overlay and 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.

(The city plan commission recommended approval, subject to a conceptual plan and conditions. This item was considered by the City Council at a public hearing on June 23, 2004, and was remanded to the City Plan Commission for ordinance development prior to being considered by the City Council at a public hearing on August 11, 2004.)

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

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

Jonathan Vinson, 901 Main St.
Maxine Aaronson, 3131 McKinney Ave.

The following individual addressed the city council on zoning case Z034-147 (WE):

William Hopkins, 2011 Leath St.

Mayor Pro Tem Loza moved to close the public hearing, follow the recommendation of the city plan commission and bring the ordinance back at the August 25, 2004 meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2350

Addendum addition 11: Authorize hardship relief for property located at 901 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 Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2351

Addendum addition 12: A resolution imposing a moratorium on building permits and certificates of occupancy for general merchandise or food store uses with a floor area of 100,000 square feet or more (Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill, Councilmembers Rasansky, Blaydes, Greyson, Salazar, Lill, Griffith, Finkelman, Chaney, Fantroy, Garcia, and Oakley via Mayor Miller)

Councilmember Rasansky moved to approve the resolution and bring the design criteria back on the October 27, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar.

Councilmember Salazar asked Councilmember Rasansky if he would accept a friendly amendment to his motion to include Northwest Highway north to west I35 to I30.

Councilmember Rasansky accepted the amendment as part of his motion.

Deputy Mayor Pro Tem Hill moved to substitute for Councilmember Rasansky's motion to deny the moratorium and direct staff to bring the design criteria back at the October 27, 2004 voting agenda meeting of the city council.

During debate on Deputy Mayor Pro Tem Hill's motion, Councilmember Salazar withdrew his friendly amendment.

Mayor Miller called for the vote on Deputy Mayor Pro Tem Hill's substitute motion:

Voting Yes:	[6]	Loza, Hill, Garcia, Oakley, Thornton Reese, Fantroy
Voting No:	[8]	Miller, Salazar, Chaney, Blaydes, Finkelman, Greyson, Rasansky, Lill
Absent:	[1]	Griffith

Mayor Miller declared the motion failed.

Mayor Miller then called the vote on the original motion:

Voting Yes:	[9]	Miller, Hill, Salazar, Chaney, Blaydes, Finkelman, Greyson, Rasansky, Lill
Voting No:	[5]	Loza, Garcia, Oakley, Thornton Reese, Fantroy
Absent:	[1]	Griffith

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2352

Addendum addition 13: An ordinance amending CHAPTER 40A, "RETIREMENT," of the Dallas City Code; defining terms; setting the rate of contribution to the City Employees' Retirement Fund to 6-1/2 percent for members and 11 percent for the City until October 1, 2005; providing authorization and procedures for the Employees' Retirement Fund Board to annually increase or decrease those contribution rates, beginning October 1, 2005, based on actuarial determinations and fixed formulas, without the need of any Council action, member vote, or citywide election; requiring notice to the City of the modified contribution rates and providing procedures by which the City may review and challenge those rates; codifying the Board's policies and procedures relating to the Fund's actuarial process; beginning March 1, 2005, increasing the size of the Employees' Retirement Fund Board from five members to seven members, increasing from three to four the number of Board members required to constitute a quorum and to approve actions, and extending the terms of the three employee-elected members of the Board from two years to three years; requiring City Council approval before the Board may grant temporary or permanent discretionary adjustments to retirement benefits over and beyond the regular cost-of-living increases; correcting section references to the term "qualified recipient"; and authorizing Chapter 40A to be amended by ordinance adopted by the City Council and approved by the Board and the voters of the City - Financing: No cost consideration to the City

Councilmember Lill moved to pass the ordinance.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Griffith absent)

Assigned ORDINANCE NO. 25696.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2353

Addendum addition 14: **November 2, 2004 Special Election**

- * An ordinance amending Ordinance No. 20231, as amended, adopting new and revised election precincts - Financing:
This action has no cost consideration to the City

Councilmember Fantroy moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25697.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2354

Addendum addition 15: **November 2, 2004 Special Election**

- * An ordinance ordering a special election to be held in the City of Dallas on November 2, 2004, for the purpose of submitting to the qualified voters of the City proposed amendments to Chapter 40A, "Retirement," of the Dallas City Code - Financing: This action has no cost consideration to the City

Councilmember Fantroy moved to pass the ordinance.

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

Assigned ORDINANCE NO. 25699.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2355

Addendum addition 16: **November 2, 2004 Special Election**

- * A resolution authorizing (1) a joint election agreement and election services contract between the City of Dallas and Dallas County, for the conduct of a joint election to be held on Tuesday, November 2, 2004 and (2) an increase in appropriations in the amount of \$650,000 in Elections' departmental budget - \$650,000 - Financing: Contingency Reserve Funds (to be reimbursed by the Employees' Retirement Fund)

Councilmember Fantroy moved to approve the resolution.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2356

Addendum addition 17: **November 2, 2004 Special Election**

- * A resolution approving the appointment of citizens to serve as election judges for the November 2, 2004 joint election -
Financing: This action has no cost consideration to the City

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

Councilmember Fantroy moved to approve the resolution.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Rasansky voting "No". (Salazar abstain; Griffith absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2357

Addendum addition 18: **November 2, 2004 Special Election**

- * A resolution authorizing the Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the November 2, 2004, special election, and submit a canvass report to the full City Council on Wednesday, November 10, 2004 - Financing: This action has no cost consideration to the City

Councilmember Fantroy moved to approve the resolution.

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

NOTE: [Mayor Miller appointed the following councilmembers as the canvassing committee to review the returns of the November 2, 2004 special election: Councilmember Bill Blaydes, chair, Councilmember Maxine Thornton Reese and Councilmember Steve Salazar.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2358

NOTICE OF DEFERRED OR DELETED ITEMS

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

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

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 2004

EXHIBIT C

9/21/04 11:07 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 23, 2004

04-2220

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

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

ABSENT: [0]

CORRECTIONS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 2004

04-2220

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 9:38 a.m.~~

~~The city secretary announced that a quorum of the city council was present.~~

The meeting was called to order at 9:22 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 6:40 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.

9/21/04 11:07 AM
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 2004

04-2351

Addendum addition 12: A resolution imposing a moratorium on building permits and certificates of occupancy for general merchandise or food store uses with a floor area of 100,000 square feet or more (Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill, Councilmembers Rasansky, Blaydes, Greyson, Salazar, Lill, Griffith, Finkelman, Chaney, Fantroy, Garcia, and Oakley via Mayor Miller)

Councilmember Rasansky moved to approve the resolution and bring the design criteria back on the October 27, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Salazar.

Councilmember Salazar asked Councilmember Rasansky if he would accept a friendly amendment to his motion to include Northwest Highway north to west I35 to I30.

Councilmember Rasansky accepted the amendment as part of his motion.

Deputy Mayor Pro Tem Hill moved to substitute for Councilmember Rasansky's motion to deny the moratorium and direct staff to bring the design criteria back at the ~~August~~ **October** 27, 2004 voting agenda meeting of the city council.

During debate on Deputy Mayor Pro Tem Hill's motion, Councilmember Salazar withdrew his friendly amendment.

Mayor Miller called for the vote on Deputy Mayor Pro Tem Hill's substitute motion:

Voting Yes:	[6]	Loza, Hill, Garcia, Oakley, Thornton Reese, Fantroy
Voting No:	[8]	Miller, Salazar, Chaney, Blaydes, Finkelman, Greyson, Rasansky, Lill
Absent:	[1]	Griffith

Mayor Miller declared the motion failed.