

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 10, 2004

04-3150

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

PRESENT: [13] Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Fantroy,  
Griffith, Blaydes, Finkelman, Rasansky, Lill  
ABSENT: [2] Chaney absent on city business; Greyson absent

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 6:43 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 10, 2004

EXHIBIT A

12/13/2004 2:37 PM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, NOVEMBER 10, 2004

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3151

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: Jeff Parks, 408 Park Ave.  
REPRESENTING: Homeless People  
SUBJECT: Homeless shelter

SPEAKER: James Waghome, 5524 Belmont Ave.  
SUBJECT: Homelessness, National Report

SPEAKER: Frank P. Hernandez, 716 Wayne St.  
SUBJECT: Farmer's Market

SPEAKER: Angela Smith, 6069 Beltline Rd. **NO SHOW**  
SUBJECT: Fair Housing Department

SPEAKER: Calvin Smith, 6069 Beltline Rd. **NO SHOW**  
SUBJECT: Fair Housing Department

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

SPEAKER: Michael Morris, 616 Six Flags Dr., Arlington  
REPRESENTING: North Central Texas Council of Governments  
SUBJECT: Team Award

SPEAKER: Gwen Gaylen, 2201 South Harwood St.  
REPRESENTING: Cedars Neighborhood Association  
SUBJECT: Day Resource Center

**OPEN MICROPHONE – END OF MEETING:**

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

SPEAKER: James Garner, 2300 Harding St. **NO SHOW**  
SUBJECT: Police patrol in South Dallas

SPEAKER: Linda Cahanin, 7474 Coronado Ave. **NO SHOW**  
SUBJECT: Homelessness

SPEAKER: William Pettet, 408 Park Ave. **NO SHOW**  
SUBJECT: Different subject matters

SPEAKER: Claud Yeldell, 1624 S. Corinth St.  
SUBJECT: Tearing down house without asking anyone

SPEAKER: Allen Gwinn, 319 Kahala Dr. **NO SHOW**  
SUBJECT: The Porno Convention at the Dallas Convention Center

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

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Code violation against Dallas City Council/Section 19-83

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd. **DID NOT CALL NAME**  
REPRESENTING: Citizens Organized for a Representative Democracy  
SUBJECT: Strong Mayor

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3152

Item 1: Approval of Minutes of the October 27, 2004 City Council Meetings

Councilmember Garcia moved to approve the minutes.

Motion seconded by Councilmember Oakley and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3153

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-51 and addendum addition consent agenda items 1-19, were presented for consideration.

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 22 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Lill requested that consent agenda items 5, and 40 and addendum addition item 2 to be considered as individual items. Mayor Miller stated that consent agenda items 5, and 40 and addendum addition item 2 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Lill's request.

Councilmember Thornton Reese requested that consent agenda items 10, 36 and 50 be considered as individual items. Mayor Miller stated that consent agenda items 10, 36 and 50 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Thornton Reese's request.

Councilmember Rasansky requested that consent agenda items 19, 37, 38, and 39 and addendum addition items 9 and 17 be considered as individual items. Mayor Miller stated that consent agenda items 19, 37, 38, and 39 and addendum addition items 9 and 17 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Mayor Miller requested that addendum addition item 9 be considered as an individual item. Mayor Miller stated that addendum addition item 9 would be considered as 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 item 22, which was deferred, and consent agenda items 5, 10, 19, 36, 37, 38, 39, 40, and 50 and addendum addition items 2, 9 and 17 which would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3154

Item 2: Authorize a professional services contract with Ameresco, Inc., to perform an energy audit and develop proposals for energy conservation related projects at Dallas Love Field Airport located at 3101 Mockingbird Lane, Bachman Water Treatment Plant located at 2605 Shorecrest, Executive Airport located at 6010 Marvin D. Love Freeway and the Convention Center Heliport located at 600 South Lamar Street - \$64,145 - Financing: Aviation Capital Construction Funds (\$63,145), Water Utilities Current Funds (\$1,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3155

Item 3: Authorize a professional services contract with BCI Architects to provide schematic design, design development, construction documents, bidding and construction administration for major interior renovations including interior reconfiguration and finishes, lighting, security, electrical and mechanical upgrades, and Americans with Disabilities Act compliance at Juanita J. Craft Recreation Center located at 4500 Spring Avenue - \$31,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3156

Item 4: Authorize a professional services contract with Freese and Nichols, Inc. to provide a development plan for the renovation of Stevens Park Golf Course located at 1005 N. Montclair - \$52,991 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3157

Item 5: Authorize a professional services contract with Sebesta Blomberg and Associates, Inc. to provide for commissioning services which will verify and ensure that building components and systems perform according to design intent for the Trinity Interpretive Center and Trinity Equestrian Center - \$223,740 - Financing: 1998 Bond Funds

Councilmember Lill requested that consent agenda item 5 be considered as an individual item. Mayor Miller stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, agenda item 5 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3158

Item 6: Authorize a contract for the interior demolition and asbestos abatement at the Dallas Police Quartermaster located at 1600 S. Lamar Street - Empire Environmental Group, lowest responsible bidder of nine - \$59,800 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3159

Item 7: Authorize a contract for the roof replacement at the Oak Cliff Municipal Center located at 320 East Jefferson Boulevard - Castro Roofing of Texas, L.P., lowest responsible bidder of six - \$298,950 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3160

Item 8: Authorize a contract for the construction of barrier free ramp improvements - VAS Engineering & Construction, lowest responsible bidder of five - \$248,307 - Financing: Capital Assessment Funds (\$242,932), Water Utilities Capital Construction Funds (\$5,375)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3161

Item 9: Authorize an increase in the contract with Tiseo Paving Company for the construction of additional paving improvements and storm water prevention measures on Bonnie View Road from Port Boulevard to Langdon Drive and Langdon Drive from Bonnie View Road to Union Pacific Railroad for Southport Improvements - \$297,523, from \$5,036,386 to \$5,333,909 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3162

Item 10: Authorize (1) Supplemental Agreement No. 1 to the contract with HNTB Corporation to decrease engineering services for water main improvements on Samuell Boulevard from IH 30 to Mesquite City Limits in an amount not to exceed (\$4,500) and provide additional engineering services to include right-of-way and landscape improvements on Samuell Boulevard from IH 30 to Mesquite City Limits in an amount not to exceed \$60,856 - Net increase amount not to exceed \$56,356, from \$1,234,662 to \$1,291,018, (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$28,642, and (3) an increase in appropriations in the amount of \$28,642 in the Capital Projects Reimbursement Fund - Total not to exceed \$56,356 - Financing: 1998 Bond Funds (\$32,214), Texas Department of Transportation Funds (\$28,642), Water Utilities Capital Improvement Funds (-\$4,500)

Councilmember Thornton Reese requested that consent agenda item 10 be considered as an individual item. Mayor Miller stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Reese's request.

Later in the meeting, agenda item 10 was brought up for consideration.

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3163

Item 11: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for the Southside Wastewater Treatment Plant diffused aeration and process improvements - \$789,803, from \$22,998,000 to \$23,787,803 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3164

Item 12: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Martin Luther King, Jr. Boulevard from north of the Trinity River to Gould Street - \$200,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3165

Item 13: Authorize (1) Supplemental Agreement No. 2 to the Trinity River Corridor Interlocal Agreement with the North Central Texas Council of Governments to continue the ongoing U.S. Army Corps of Engineers study of the Dallas Floodway - Not to exceed \$1,258,052, from \$1,252,500 to \$2,510,552, and (2) Supplemental Agreement No. 1 to the contract with Camp Dresser & McKee, Inc. to provide additional lake water quality, hydraulic, and digital terrain modeling for the Dallas Floodway lakes in support of the ongoing U.S. Army Corps of Engineers study of the Dallas Floodway - Not to exceed \$157,890, from \$400,000 to \$557,890 - Total not to exceed \$1,415,942 - Financing: 1998 Bond Funds (\$1,227,890) and Current Funds (\$188,052 to be reimbursed by Storm Water Drainage Management Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3166

Item 14: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jose R. Alejandro, Rosina B. Alejandro and Centro Christiano Church of 3 tracts of land containing a total of approximately 16,831 square feet located at the intersection of Cockrell Hill Road and Blue Ridge Boulevard for the Blue Ridge Improvement project - \$32,622 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3167

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Laura Mary Tallichet Williamson and Arcady Drexel Limited Partnership, of approximately 24,501 square feet of land located at 9819 Harry Hines Boulevard near its intersection with Loop 12 for the Northwest Service Center - \$220,000 - Financing: Northwest Service Center Relocation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3168

Item 16: Authorize the deposit of a Special Commissioners' Award for acquisition from Pacifico Partners, Ltd. of a pedestrian easement containing approximately 1,150 square feet of land located near the intersection of Commerce and Ervay Streets, for the Main-Commerce Pedestrian Way project - \$65,750 - Financing: City Center TIF District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3169

Item 17: A resolution authorizing a reduction of the minimum bid amount from \$160,000 to \$80,000 for a tract of City-owned land improved with a former fire station, containing approximately 24,881 square feet located at 8003 Lake June Road near its intersection with Pritchard Street, previously advertised and declared unwanted and unneeded - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3170

Item 18: A resolution authorizing a reduction of the minimum bid amount from \$266,076 to \$133,038 for a tract of City-owned land containing approximately 7,391 square feet located adjacent to North Houston Street between Dallas North Tollway and Hi Line Drive, previously advertised and declared unwanted and unneeded - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3171

Item 19: A resolution authorizing the sale of approximately 1,421 acres of unwanted and unneeded City-owned land located at Malloy Bridge Road between Bilindsay Road and U.S. Highway 175 to the only bidder, Jui-Lien Chou Ho - Revenue: \$720,000

Councilmember Rasansky requested that consent agenda item 19 be considered as an individual item. Mayor Miller stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasnasky's request.

Later in the meeting, agenda item 19 was brought up for consideration.

Deputy Mayor Pro Tem Hill moved to approve the resolution.

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3172

Item 20: A resolution authorizing the sale of approximately 18,702 square feet of unwanted and unneeded City-owned land located at 8122 Maddox Avenue near its intersection with Buckner Boulevard to the only bidder, Ali-Ala - Revenue: \$25,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3173

Item 21: An ordinance abandoning a water easement to Sam Quezada, the abutting owner, containing approximately 3,615 square feet of land located near the intersection of Hartsdale Avenue and Tangiers Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25792.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3174

Item 22: An ordinance abandoning a portion of an alley to Ironwood Partners, Ltd., the abutting owner, containing approximately 904 square feet of land located near the intersection of Preston Road and State Highway 190, and authorizing the quitclaim - Revenue: \$13,300 plus the \$20 ordinance publication fee

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 22 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

November 10, 2004

04-3175

Item 23: An ordinance granting a revocable license to Sprint Communications Company, L.P. for use of approximately 3,463 square feet of land to install and maintain fiber optic cable under portions of Irving Boulevard and Reading Street right-of-way located near the intersection of Irving Boulevard and Lakawana Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25793.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3176

Item 24: Authorize the quitclaim of 34 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders - Revenue: \$1,103,814

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3177

Item 25: Authorize (1) the discharge of the secured, no-interest, forgivable note with Boys & Girls Clubs of Greater Dallas, Inc. (Oak Cliff Branch) in the amount of \$79,000, and (2) the release of lien on real property located at 2907 Linfield Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3178

Item 26: Authorize (1) the discharge of the secured, no-interest, forgivable note with Boys & Girls Clubs of Greater Dallas, Inc. (Maple Avenue Branch) in the amount of \$180,000, and (2) the release of lien on real property located at 4515 Maple Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3179

Item 27: Authorize exercise of the twelve-month renewal option to the service contract for the printing of forms with the lowest responsible bidders of eight - Moore Wallace in the amount of \$98,267 and Visual Communications in the amount of \$190,835 - Total not to exceed \$289,102 - Financing: Current Funds (\$224,477), Aviation Current Funds (\$6,500), Convention and Event Services Current Funds (\$20,125), and Water Utilities Current Funds (\$38,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3180

Item 28: Authorize a twelve-month service contract for grounds maintenance at Hensley Field with the lowest responsible bidders of four - Good Earth, Inc. in the amount of \$48,984 and Toledo Landscaping, LLC in the amount of \$25,390 - Total not to exceed \$74,374 - Financing: Naval Air Station Redevelopment Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3181

Item 29: Authorize a service contract for pool renovations at eight community swimming pools with the lowest responsible bidder of four - Sunbelt Pools, Inc. - \$251,415 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3182

Item 30: Authorize a forty-eight-month price agreement for non-lethal PepperBall launchers and accessories with Dallas Public Safety Supply, Inc. - Sole Source - Not to exceed \$252,335 - Financing: Current Funds (\$200,000) and 2003 Omnibus Appropriation Local Law Enforcement Block Grant Funds (\$52,335)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3183

Item 31: Authorize a sixty-month agreement for maintenance and support of hardware and software for the Automated Fingerprint Identification System with NEC Technologies, Inc. - Sole Source - Not to exceed \$191,807 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3184

Item 32: Authorize a twenty-four-month price agreement for laboratory services and biomonitoring for water and wastewater treatment plants with the lowest responsible bidders of seven - TTI Environmental Laboratories in the amount of \$326,850, and Bio-Aquatic Testing, Inc. in the amount of \$20,350 - Total not to exceed \$347,200 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3185

Item 33: Ratify an emergency purchase to refit 14 doors with new emergency exit and access control equipment at Dallas Love Field - Flores Technical Service, Inc. - Total not to exceed \$78,565 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3186

Item 34: Ratify an emergency purchase of approximately 110 feet of 72-inch pipe and 140 feet of 84-inch pipe to repair a water main located between Sunnyvale and Terrell - Hanson Concrete Products, Inc. - Not to exceed \$450,000 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3187

Item 35. Authorize an amendment to Resolution No. 03-1922, previously approved on June 25, 2003, for the purchase of a facade beautification easement on 1217 Main Street, to extend the project deadline from December 31, 2004 to June 30, 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3188

Item 36: An ordinance granting a Planned Development District for attached residential uses north and west of the terminus of Village Fair Drive northwest of Fairshop Drive subject to a development plan and conditions - Z034-229(WE) - Financing: No cost consideration to the City

Councilmember Thornton Reese requested that consent agenda item 36 be considered as an individual item. Mayor Miller stated that consent agenda item 36 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Thornton Reese' request.

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

Councilmember Thornton Reese moved to pass the ordinance with the following changes:

1. A maximum six-foot-high fence is permitted in the front yard; and
2. Signs must comply with the provisions for non-business zoning districts

Motion seconded by Councilmember Fantroy and unanimously adopted. (Chaney absent on city business; Greyson absent)

Assigned ORDINANCE NO. 25797.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3189

Item 37: An ordinance waiving the extraterritorial jurisdiction of the City of Dallas on 36.9 acres of land located in Kaufman County east of the terminus of Kaufman County Road No. 219 at Reeder Road in favor of the City of Forney - Financing: No cost consideration to the City

Councilmember Rasansky requested that consent agenda item 37 be considered as an individual item. Mayor Miller stated that consent agenda item 37 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 37 was brought up for consideration.

The following individual addressed the city council regarding the ordinance:

Barbara Mallory Caraway, 1934 Argyle, representing Prosper Capital Management

Deputy Mayor Pro Tem Hill moved to pass the ordinance.

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

Assigned ORDINANCE 25798.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3190

Item 38: **City Center TIF District**

**Note:** Item Nos. 38 and 39 must be considered collectively.

- \* Authorize (1) a development agreement with Hamilton Fidelity, LP to provide for the funding of historical facade improvements, demolition, environmental remediation, streetscape improvements and other authorized improvements related to the redevelopment of the Fidelity Union Life Buildings located at 1507 Pacific, 1511 Bryan and 318 North Akard Streets in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$9,000,000; and (2) the establishment of appropriations in the amount of \$9,000,000 in the City Center TIF District Fund - Total not to exceed \$9,000,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund)

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 Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3191

Item 39: **City Center TIF District**

**Note:** Item Nos. 38 and 39 must be considered collectively.

- \* A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse Hamilton Fidelity, LP for funds advanced pursuant to a development agreement between the City and Hamilton Fidelity, LP or its affiliates in an amount not to exceed \$9,000,000, plus interest, for historical facade improvements, demolition, environmental remediation, streetscape improvements and other authorized improvements related to the redevelopment of the Fidelity Union Life Buildings located at 1507 Pacific, 1511 Bryan and 318 North Akard Streets in the City Center TIF District - Financing: No cost consideration to the City

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 Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3192

Item 40: Authorize (1) the acceptance of a grant from the Dallas Downtown Improvement District to fund two new caseworker positions to provide outreach services for hard-to-reach and chronically homeless individuals who reside within the Central Business District for the period October 1, 2004 to September 30, 2006; and (2) execution of the grant agreement - Not to exceed \$211,844 - Financing: Dallas Downtown Improvement District Funds

Councilmember Lill 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 Lill's request.

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

Councilmember Lill moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent; Hill, Finkelman absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3193

Item 41: Authorize approval of a policy prohibiting the placement of industrialized housing on properties sold by the City of Dallas or its Land Bank for the purpose of affordable housing development for low- and moderate-income households under the Land Assembly Program, House Bill 110 Program, Residential Development Acquisition Loan Program and Urban Land Bank Demonstration Program - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3194

Item 42: Authorize an amendment to the Replacement Housing and SHARE Programs to increase the maximum loan amount from \$55,000 to \$70,000 and establish a minimum structure size of 1200 square feet for on-site replacement of a single-family home - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3195

Item 43: Authorize the reconstruction on-site of four homes in accordance with the Replacement Housing Program Statement requirements for the properties located at 1733 Dennison Street, 1939 Dennison Street, 1949 Kraft Street, and 1019 Strickland Avenue - Not to exceed \$70,000 each for a total not to exceed \$280,000 - Financing: 2004-05 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3196

Item 44: Authorize renewal of the personal services contract with Randy C. Cain for state legislative services from November 13, 2004 through November 12, 2005 - Not to exceed \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3197

Item 45: Authorize renewal of the personal services contract with Kwame Walker & Associates for state legislative services from November 13, 2004 through November 12, 2005 - Not to exceed \$40,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3198

Item 46: Authorize renewal of the personal services contract with Barbara T. McCall Associates, Inc. for federal legislative services for the City of Dallas from November 13, 2004 through November 12, 2005 - Not to exceed \$160,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3199

Item 47: Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3200

Item 48: Authorize payment of annual fees and continuation of arrangements for providing specialized municipal-related services to the City - Airports Council International (\$24,662), American Water Works Association (\$20,000), American Water Works Association Research Foundation (\$255,000), Association of Metropolitan Water Sewage Agencies (\$25,000), Dallas Regional Mobility Coalition (\$37,500), National League of Cities (\$28,671), North Central Texas Council of Governments (\$121,480), North Texas Commission (\$102,935), Public Technology, Inc. (\$33,000), Regional Storm Water Management Program of North Central Texas (\$38,784), State of Texas Pricing, Department of Information Services (\$20,750), Texas Coalition of Cities For Utility Issues (\$35,658), Texas Municipal League (\$45,220), Transportation Excellence for the 21st Century (\$25,000), Trinity River Common Vision (\$30,000), United States Conference of Mayors (\$42,183), Water Environment Research Foundation (\$85,000) - Total not to exceed \$970,843 - Financing: Aviation Current Funds (\$24,662), Current Funds (\$561,181) and Water Utilities Current Funds (\$385,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3201

Item 49: Authorize the issuance of education revenue bonds by the Dickinson Education Finance Corporation in an amount not to exceed \$5,300,000, for the benefit of the A.W. Brown Fellowship Charter School - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3202

Item 50: Authorize twelve-month contracts with Dallas Arboretum and Botanical Society, Inc. (\$342,050), Texas Discovery Gardens (\$88,645) and Dallas County Audubon Society, Inc. dba Audubon Dallas (\$35,000) to provide services and programs within the City of Dallas - \$465,695 - Financing: Current Funds

Councilmember Thornton Reese 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 Thornton Reese' request.

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

Councilmember Thornton Reese moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3203

Item 51: A resolution endorsing the continuation of the Dallas Police Department's Police and Constables in Partnership Program for increased traffic enforcement and crime reduction efforts to include Northwest, Southwest, and Central Dallas (portions of City Council Districts 1, 2, 3, 6, 7, and 14) with Dallas County Constable Precinct 5, and Southwest and Northwest Dallas (portions of City Council Districts 3, 6, and 8) with Dallas County Constable Precinct 4, Northeast, Central, Northwest, and North Central Dallas (portions of City Council Districts 2, 6, 7, 9, 10, 11, 12, 13, and 14) with Dallas County Constable Precinct 3, and continuing the program in Southwest, Central, and Southeast Dallas (portions of City Council Districts 1, 2, 3, 4, 5, 7, 8, and 14) with Dallas County Constable Precinct 1 for the period January 1, 2005 through December 31, 2005 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3204

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 52-54, were presented for consideration.

Agenda item 53 was removed from the consent zoning docket, to be considered as an individual hearing.

Agenda item 52: Zoning Case Z034-299 (MM)

~~Agenda item 53: Zoning Case Z034-301 (WE)~~ [Considered individually]

Agenda item 54: Zoning Case Z034-323 (WE)

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

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

Councilmember Oakley moved to close the public hearing, accept the recommendations of the city plan commission in the consent zoning cases and pass the ordinances 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 Garcia and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3205

Item 52: Zoning Case Z034-299 (MM)

Zoning Case Z034-299 (MM), an application for and an ordinance granting the renewal of Specific Use Permit No. 1461 for an alcoholic beverage establishment to be used as a bar, lounge or tavern on property zoned West Mixed Use Subzone within Subdistrict C of Planned Development District No. 305, the City Place Planned Development District in an area bounded by McKinney Avenue, Haskell-Blackburn Street, Cole Avenue, and Lemmon Avenue.

(The city plan commission recommended approval, for a five-year period, subject to a site plan.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25799.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3206

Item 53: Zoning Case Z034-301 (WE)

The consent zoning docket, consisting of agenda items 51-53, was presented.

Councilmember Oakley requested that consent zoning docket item 53 be removed from the consent zoning docket to be called as an individual hearing. Mayor Miller stated that consent zoning docket item 53 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Oakley's request.

A public hearing was called on zoning case Z034-301 (WE), an application for and an ordinance granting the creation of a new Subdistrict for townhouse uses on property within Subarea A of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the north side of Greenbriar Lane, west of Zang Boulevard.

(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 Oakley moved to postpone the application until the December 8, 2004 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3207

Item 54: Zoning Case Z034-323 (WE)

Zoning Case Z034-323 (WE), an application for and an ordinance granting a Specific Use Permit for an Open-Enrollment Charter School, limited to surface parking for a school on an adjacent site, on two tracts of land zoned an MF-2(A) Multifamily District located on the southeast side of Munger Avenue, southwest of Prairie Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 25800

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3208

Item 55: Public Hearing – Zoning Case Z034-260 (WE)

A public hearing was called on zoning case Z034-260 (WE), an application for and an ordinance granting a Planned Development District for a private school use, MC-1 Multiple Commercial District uses, R-7.5(A) Single Family District uses, CR Community Retail District uses with retention of the Dry Liquor Control Overlay on a portion, and a P(A) Parking District uses and the termination of Specific Use Permit No. 1179 and Specific Use Permit No. 1538 on property zoned an MC-1 Multiple Commercial District with SUP No. 1538 on a portion, a CR Community Retail District, a CR-D Community Retail District with a Dry Liquor Control Overlay, an R-7.5(A) Single Family District with SUP No. 1179 on a portion, a D(A) Duplex District with SUP No. 1179 on a portion, a P(A) Parking District on the south side of Lovers Lane, between Morton Street and Linwood Avenue.

(The city plan commission recommended approval, subject to a development plan, Traffic Management Plan and conditions with retention of the Dry Liquor Control Overlay on a portion of the site and approval of the termination of Specific Use Permit Nos. 1179 and 1538.

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

Gus A. Perez, 4912 Kelton Dr., representing North Park Love Field neighbors  
Rick Gonzales, 4283 S. Cresthaven  
Pattie Walker, P.O. Box 7488, representing North Park Community  
Bettie Epstein, 5409 Farquhar  
Amelia Perez, 4912 Kelton

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

Patricia White, 4714 Wildwood Rd.  
Sean Todd, (no address given)  
Vera Reece, 4919 Wenonah, representing Love Field North Park Civic League  
Kirk Williams, 5400 Renaissance Tower, representing the applicant

The following individual addressed the city council regarding zoning case Z034-260 (WE):

William Hopkins, 2011 Leath St.

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

Motion seconded by Councilmember Finkelman.

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

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3209

Item 56: Public Hearing – Zoning Case Z034-292 (DW) - **DALLAS INDEPENDENT SCHOOL DISTRICT**

A public hearing was called on zoning case Z034-292 (DW), an application for and an ordinance granting a Planned Development District for a public school other than open-enrollment charter school, a utility or government installation other than listed limited to a maintenance facility for a public school, and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the southeast corner of the intersection of Elam Road and Ella Avenue.

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

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

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

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

Motion seconded by Councilmember Oakley and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent; Hill absent when vote taken)

Assigned ORDINANCE NO. 25801.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3210

Item 57: Public Hearing – Zoning Case Z034-292 (DW) - **DALLAS INDEPENDENT SCHOOL DISTRICT**

A public hearing was called on zoning case Z034-292 (DW), an application for and an ordinance granting a Planned Development District for a public school other than open-enrollment charter school and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the northeast corner of St. Augustine Road and Calico Lane.

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

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

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

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

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

Assigned ORDINANCE NO. 25802.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3211

Item 58: Public Hearing – Zoning Case Z034-294 (DW)

A public hearing was called on zoning case Z034-292 (DW), an application for and an ordinance granting a Planned Development District for a public school other than open-enrollment charter school and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District on the northwest corner of Walnut Hill Lane and Gooding Drive.

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

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

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

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

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent; Hill absent when vote taken)

Assigned ORDINANCE NO. 25803.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3212

Item 59: Public Hearing – Zoning Case Z034-273 (DW)

A public hearing was called on zoning case Z034-273 (DW), an application for and an ordinance granting a Planned Development District for single family uses and a resolution accepting deed restrictions volunteered by the applicant on property zoned A(A) Agricultural District south of Grady Niblo Road, west of Kiwanis Road.

(The city plan commission recommended approval subject to a conceptual plan, conditions, and deed restrictions volunteered by the applicant. This item was considered by the City Council at a public hearing on October 13, 2004, and was taken under advisement until November 10, 2004, with the public hearing open.)

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

Frank Brackens, 5717 Kiwanis  
Joe Briggs, 6300 Toney Rd.  
Sharon Wilkins, 5610 Pleasant Ridge Dr.

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

Tom Juhn, 17090 Dallas Pkwy., representing the applicant  
John Marlin, 13455 Noel Rd.

Councilmember Oakley moved to close the public hearing and follow the city plan commission recommendation for approval of a planned development district, with the following changes:

Changes to the PD conditions, and to the deed restrictions as shown in the red-lined copies of these documents prepared by the city attorney's office, and with the revised conceptual plan

Strike Section (f) in Section 51P-701.112; and

change lot coverage to 45% maximum and pass the ordinance.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Chaney absent on city business; Greyson absent)

Assigned ORDINANCE NO. 25804.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3213

Item 60: Public Hearing – Zoning Case Z034-291 (DW)

A public hearing was called on zoning case Z034-391 (DW), an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use on property zoned an MU-2 Mixed Use District located south of LBJ Freeway, west of Preston Road.

(The city plan commission recommended approval for a thirty-year period, with eligibility for automatic renewals for ten-year periods, subject to a site plan, landscape plan and conditions. This item was considered by the City Council at a public hearing on October 27, 2004, and was taken under advisement until November 10, 2004, with the public hearing open.)

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

Councilmember Rasansky moved to postpone the application until the December 8, 2004 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3214

Item 61: Public Hearing – Zoning Case Z034-278 (MM)) - **UNDER ADVISEMENT - INDIVIDUAL**

A public hearing was called on zoning case Z034-278 (MM), an application for and an ordinance granting an MC-4 Multiple Commercial District on property zoned an MC-3 Multiple Commercial District on the northeast corner of the intersection of Dallas North Tollway and Bent Tree Forest Drive.

(The city plan commission recommended approval. This item was considered by the City Council at public hearings on October 13 and October 27, 2004, and was taken under advisement until November 10, 2004, with the public hearing open.)

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

Councilmember Finkelman moved to close the public hearing and approve the request for MC-4 Multiple Commercial District zoning subject to deed restrictions volunteered by the applicant with the ordinance adopting the zoning change and the resolution accepting the deed restrictions to return on the December 8, 2004 voting agenda meeting.

Motion seconded by Councilmember Lill and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3215

Item 62: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments on the proposed change of use and sale of approximately 1.56 acres of land, being part of Brownwood Park located at 3424 Walnut Hill Lane, in exchange for a cash payment or exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City

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

No one addressed the city council regarding the item.

Councilmember Salazar moved to close the public hearing.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent; Hill, Thornton Reese, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3216

Item 63: MISCELLANEOUS HEARING

A public hearing to receive citizens' comments on the proposed change of use and sale of approximately 1.76 acres of land, being part of Greiner Park located at 700 Montclair Avenue, in exchange for a cash payment of exchange of land based on fair market value as determined by an independent fee appraisal - Financing: This action has no cost consideration to the City

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

No one addressed the city council regarding the item.

Councilmember Garcia moved to close the public hearing.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent; Hill, Thornton Reese, Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3217

Item 64: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3218

Item 65: An ordinance abandoning a sanitary sewer easement to Dallas Independent School District, the abutting owner, containing approximately 5,022 square feet of land located near the intersection of Fair Oaks Avenue and Pineland Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

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 pass the ordinance.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent)

Assigned ORDINANCE NO. 25805.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3219

Item 66: An ordinance abandoning portions of wastewater, utility and drainage easements to Dallas Independent School District, the abutting owner, containing approximately 33,960 square feet of land located near the intersection of Meadow Road and Greenville Avenue, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

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 pass the ordinance.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent; Finkelman absent when vote taken)

Assigned ORDINANCE NO. 25806.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3220

Item 67: An ordinance abandoning an alley to Dallas Independent School District, the abutting owner, containing approximately 8,000 square feet of land located near the intersection of Crawford and Ninth Streets, and authorizing the quitclaim - Revenue: \$14,800 plus the \$20 ordinance publication fee

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 Garcia moved to pass the ordinance.

Motion seconded by Councilmember Oakley and unanimously adopted. (Blaydes abstain; Chaney absent on city business; Greyson absent; Finkelman absent when vote taken)

Assigned ORDINANCE NO. 25807.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3221

Item 68: Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for “non-residential” properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue until March 19, 2005 - Financing: No cost consideration to the City **(Requires a 3/4 vote of the full City Council for approval)**

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Oakley.

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

Voting Yes:	[13]	Miller, Loza, Hill, Garcia, Oakley, Thornton Reese, Salazar, Fantroy, Griffith, Blaydes, Finkelman, Rasansky, Lill
Voting No:	[0]	
Absent on city business:	[1]	Chaney
Absent:	[1]	Greyson

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3222

Item 69: Authorize an extension of the moratorium on the acceptance of applications for building permits or certificates of occupancy for Ross Avenue, from Central Expressway to Fitzhugh Avenue until March 19, 2005 - Financing: No cost consideration to the City **(Requires a 3/4 vote of the full City Council for approval)**

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 Lill moved to approve the item.

Motion seconded by Councilmember Garcia.

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

Voting Yes:	[12]	Miller, Loza, Hill, Oakley, Thornton Reese, Salazar, Fantroy, Blaydes, Griffith, Finkelman, Rasansky, Lill
Voting No:	[0]	
Abstain:	[1]	Rasansky
Absent on city business:	[1]	Chaney
Absent:	[1]	Greyson

Mayor Miller declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3223

Item 70: Authorize hardship relief for property located at 802 N. Westmoreland Road from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City

Councilmember Oakley moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3224

Item 71: Authorize hardship relief for property located at 3817 Ross Avenue from the Ross Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties on Ross Avenue from Central Expressway to Fitzhugh Avenue - Financing: No cost consideration to the City

Councilmember Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3225

Item 72: Authorize hardship relief for property located at 3819 Ross Avenue from the Ross Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties on Ross Avenue from Central Expressway to Fitzhugh Avenue - Financing: No cost consideration to the City

Councilmember Lill moved to approve the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3226

Item 73: Authorize hardship relief for property located at 10319 Finnell Street 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 Blaydes and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3227

Item 74: Authorize hardship relief for property located at 3701 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 Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3228

Item 75: Authorize hardship relief for property located at 2942 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 defer the item until the December 8, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Rasansky and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3229

Item 76: An ordinance authorizing the issuance and sale of \$172,335,000 City of Dallas, Texas General Obligation Bonds, Series 2004; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$378,628 - Financing: Bond Funds - Interest Earnings **(To be considered before 12:00 noon)**

Deputy Mayor Pro Tem Hill moved to approve the bond ordinance authorizing the issuance and sale of \$172,335,000 City of Dallas, Texas General Obligation Bonds, Series 2004, accept the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith to Merrill Lynch & Co, being the best bid.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business; Greyson absent)

Assigned ORDINANCE NO. 25792.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3230

Item 77: An ordinance authorizing the issuance and sale of \$23,530,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2004; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$71,018 - Financing: 2004 Equipment Acquisition Contractual Obligations - Interest Earnings  
**(To be considered before 12:00 noon)**

Deputy Mayor Pro Tem Hill moved to approve the bond ordinance authorizing the issuance and sale of \$23,530,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2004; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith to Citigroup Global Markets, Inc., being the best bid.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney absent on city business; Greyson absent)

Assigned ORDINANCE NO. 25793.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3231

Item 78: An ordinance authorizing the issuance and sale of \$6,035,000 City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 2004; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$38,591 - Financing: 2004 Combination Tax and Revenue Certificates of Obligation - Interest Earnings **(To be considered before 12:00 noon)**

Deputy Mayor Pro Tem Hill moved to approve the bond ordinance authorizing the issuance and sale of \$6,035,000 City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 2004; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith, to UBS Financial Services, Inc., being the best bid.

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

Assigned ORDINANCE NO. 25794.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3232

Item 79: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Dolphin Road from IH 30 to Military Parkway - \$200,000 - Financing: 2003 Bond Funds

Mayor Pro Tem Loza moved to approve the item.

Motion seconded by Councilmember Oakley and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3233

Item 80: Authorize a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, water and wastewater main improvements on Royal Lane from Webb Chapel Road to Marquis Lane - \$160,000 - Financing: 2003 Bond Funds (\$100,000), 1998 Bond Funds (\$60,000)

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3234

Item 81: Receive report of the Canvassing Committee and adopt a resolution accepting the Canvassing Committee's report declaring the results of the November 2, 2004 special election - Financing: No cost consideration to the City

Councilmember Blaydes moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3235

Item 82: Authorize a Historic Development program tax abatement for the Fidelity Union Life Towers located at 1507 Pacific, 1511 Bryan, and 318 Akard Streets for fifteen years on 90 percent of the added value of the structure (land not included) - Financing: No cost consideration to the City (Estimated revenue foregone over fifteen years is \$6,777,298)

Councilmember Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3236

Item 83: A resolution supporting the Texas Department of Housing and Community Affairs tax-exempt bond and low income housing tax credit financing for the new construction of the Homes of Pecan Grove multifamily development to be located at 3111 Simpson Stuart Road - Financing: No cost consideration to the City  
Recommendation of Staff: Denial

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

The following individuals addressed the city council regarding the resolution:

Abdul Karriem, 4146 Huckleberry Dir.  
J. Eugene Thomas, 5654 Winding Woods Trl.  
H.J. Johnson 2429 South Blvd.  
Charletta Compton, 3709 Pomeroy  
Darren Reagan, 5801 Marvin D. Love. Frwy.  
Allen McGill, 1445 Firebird  
Al Lipscomb, 830 Clearwood Ave.  
Thelma Norman, 2628 Blackstone Dr., representing United of Oak Cliff  
Ron Ferguson, 104 Chowning, DeSoto, representing Ken L. Construction

Deputy Mayor Pro Tem Hill moved to approve the resolution.

Motion seconded by Councilmember Thornton Reese.

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

Mayor Miller declared the motion on a divided voice vote, with Mayor Miller and Councilmembers Garcia and Rasansky voting "No". (Fantroy abstain; Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3237

Closed Session

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

- S Legal issues related to pending matters involving Comcast Cable of Dallas, Inc. and the City at the Federal Communications Commission, including appeals, pending request for full Commission review, surrendering regulatory authority and other legal issues related to Comcast's franchise performance and rates
- S Legal issues relating to claims on performance bonds issued by Hanover Insurance on Western Integrated Networks cable TV franchise
- S Erubiel Cruz, et al. v. Mark DeLaPaz, et al., Cause No. 3:02-CV-0649-K
- S Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- S Jacinto Jesus Mejia v. City of Dallas, Cause No. 3:03-CV-0352-K
- S Lorenzo Escamilla v. City of Dallas, et al., Cause No. 3:03-CV-0848-K
- S Betty Jenkins v. Mark DeLaPaz, et al., Cause No. 3:03-CV-0810-K
- S George Sifuentez v. City of Dallas, et al., Cause No. 3:03-CV-0961-K
- S Yvonne Gywn v. Mark DeLaPaz, et al., Cause No. 3:03-CV-2121-K
- S Everett & Grogan v. David Larsen, et al., Cause No. 3:04-CV-0192-K
- S Chavez, et al v. DeLaPaz, et al., Cause No. 3:04-CV-0510-K
- S Pineda v. City of Dallas, et al., Cause No. 3:04-CV-0071-K
- S Mercado Azteca, L.L.C. v. City of Dallas and Center Funding, Inc., Cause No. 3:03-CV-1145-P
- S Russell Wyman v. City of Dallas and Raj Sharma, Cause No. 3:02-CV-2496-D
- S United States of America v. Dynamic Cable Construction Company, Inc., a/k/a Dynamic Cable Holdings, Inc., Reata Construction Corp., City of Dallas, Cause No. 3:03-CV-1981-R

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

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

- S Legal issues related to pending matters involving Comcast Cable of Dallas, Inc. and the
- S Mercado Azteca, L.L.C. v. City of Dallas and Center Funding, Inc., Cause No. 3:03-CV-1145-P
- S Russell Wyman v. City of Dallas and Raj Sharma, Cause No. 3:02-CV-2496-D
- S United States of America v. Dynamic Cable Construction Company, Inc., a/k/a Dynamic Cable Holdings, Inc., Reata Construction Corp., City of Dallas, Cause No. 3:03-CV-1981-R

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3238

Addendum addition 1: Authorize a contract for Phase 6A of the construction of heating, ventilation, and air conditioning upgrades to the main terminal passenger screening area, architectural finish upgrades to the passenger bridge leading to the West Concourse and electrical service to power the heating, ventilation, and air conditioning upgrades and future baggage claim renovation at Dallas Love Field with Azteca Enterprises, Inc., lowest responsible bidder of four, in an amount not to exceed \$3,820,312 - Financing: Aviation Capital Construction Funds (\$2,348,912), Federal Aviation Administration Airport Improvement Program Grant Funds (\$1,471,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3239

Addendum addition 2: Authorize (1) a contract for historic facade rehabilitation related to the redevelopment of the Gulf States Building at 1415 Main Street with Key Construction, Inc., lowest responsible bidder of four, in an amount not to exceed \$3,213,000, (2) assignment of the contract to G. S. Murray Development for construction management, and (3) payment to G. S. Murray Development in an amount not to exceed \$375,360 for design, reimbursables and construction management - Total not to exceed \$3,588,360 - Financing: City Center TIF District Funds

Councilmember Lill requested that addendum addition item 2 be considered as an individual item. Mayor Miller stated that addendum addition item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting, addendum addition item 2 was brought up for consideration.

Councilmember Lill moved to reject the bids and rebid.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3240

Addendum addition 3: Authorize (1) Supplemental Agreement No. 1 to the contract with Edward Just Associates for the Love Field Kennel, Office and Training Compound to provide additional construction administration services and increase reimbursables in an amount not to exceed \$7,400, from \$15,000 to \$22,400, and (2) an increase in appropriations in an amount not to exceed \$7,400 in the Aviation Airport Improvement Grant Funds - Financing: Aviation Capital Construction Funds (\$1,850), Federal Aviation Administration Airport Improvement Program Grant Funds (\$5,550)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3241

Addendum addition 4: Authorize final payment on the contract with Texas Standard Construction, Inc. for Asphaltic Concrete Resurfacing Group 4 - \$92,753 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3242

Addendum addition 5: Authorize an agreement with the Union Pacific Railroad Company for the construction of the railroad crossing improvements at the railroad crossing that intersects Linfield Road approximately 86 feet west of Carbondale Street - \$357,334 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3243

Addendum addition 6: A resolution confirming the sale of one 1993 John Deere 670B maintainer, equipment number 939018, sold at public auction on October 27, 2004, to Tommy Patrick Clark - Revenue: \$23,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3244

Addendum addition 7: Authorize the first twelve-month renewal option to the service contract with Med Alert Industrial Health to perform medical examinations for pre-placement, driver safety, disability review purposes, drug and alcohol testing and other necessary medical testing services - Financing: No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3245

Addendum addition 8: Authorize renewal of the Interlocal Agreement with Dallas County, acting through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis and other similar medical/forensic analytical services, provided to the Dallas Police and Fire Departments, for the period of November 1, 2004 through October 31, 2005 - \$2,044,809 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3246

Addendum addition 9: An ordinance amending Chapter 41A of the Dallas City Code to reduce the annual fee for a sexually oriented business license from \$4,800 to \$1,400 - Estimated Annual Revenue Loss: (\$130,000)

Mayor Miller and Councilmember Rasansky requested that addendum addition item 9 be considered as an individual item. Mayor Miller stated that addendum addition item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Miller and Councilmember Rasansky's request.

Later in the meeting, addendum addition item 9 was brought up for consideration.

Mayor Pro Tem Loza moved to defer the ordinance until the December 8, 2004 voting agenda meeting of the city council.

Motion seconded by Councilmember Garcia.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Fantroy voting "No. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3247

Addendum addition 10: Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Vought Aircraft Industries, Inc. located at 9314 W. Jefferson Boulevard to receive designation as a double Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3248

Addendum addition 11: Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Dallas Airmotive, Inc. located in City of Dallas Enterprise Zone One at 6114 Forest Park Road to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3249

Addendum addition 12: Authorize an amendment to Resolution No. 04-0800, previously approved on February 25, 2004, as amended, for the funding of environmental remediation, demolition, facade restoration, a fire access corridor, streetscape improvements, and other authorized improvements related to the redevelopment of 1530 Main Street so that TIF funding contingencies for the two buildings being developed as the Eureka Hotel (1530 and 1524 Main Street) are consistent - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3250

Addendum addition 13: Authorize a second modification, renewal and extension to the agreement with South Dallas Fair Park Innerscity Community Development Corporation to (1) increase the loan from \$323,483 to \$506,783 to provide funding for infrastructure improvement; (2) extend the loan maturity date to November 30, 2007; and (3) reduce the required number of homes to be constructed from 23 to 19 single-family homes at 3500 Meadow Street - Not to exceed \$183,300 - Financing: 2003-04 HOME Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3251

Addendum addition 14: Authorize the acceptance of a \$100,064 promissory note payable to the City from South Dallas Fair Park Innerscity Community Development Corporation (ICDC) in exchange for the release of liens on the properties acquired, rehabilitated and sold with the \$400,000 Revolving Loan Fund loan to ICDC for ten scattered-site single-family homes - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3252

Addendum addition 15: Authorize (1) a public hearing to be held on December 8, 2004 to receive citizens' comments on an amended proposal from South Dallas Fair Park Innerscity Community Development Corporation, a qualified non-profit organization, to consider a change in the end use and time extension to meet the end use for the development of the unimproved property located at 2806 Troy obtained through the House Bill 110 process, and (2) at the close of the hearing, consideration of acceptance of the amended proposal - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3253

Addendum addition 16: Authorize the acceptance of amended proposals from South Dallas Fair Park Inncity Community Development Corporation for the development of 18 unimproved properties obtained through the House Bill 110 process, and authorize a time extension for the development and execution of correction deeds and amended deed restrictions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3254

Addendum addition 17: Authorize a contract with Hamilton Davis L.L.P. for the sale of the Intown Housing Section 108 loan for the Davis Building located at 1309 Main Street - Estimated Revenue: \$4,409,994 (60% of the loan value at closing)

Councilmember Rasansky requested that addendum addition item 17 be considered as an individual item. Mayor Miller stated that addendum addition 17 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition item 17 was brought up for consideration.

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Finkelman.

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". (Chaney absent on city business; Greyson absent; Hill, Loza, Garcia, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3255

Addendum addition 18: Authorize an economic development grant agreement with the Central Dallas Community Development Corporation to fund pre-development costs for the Hall Street Project, a three-story apartment development with ground floor retail for the period of November 10, 2004 through November 10, 2006 - Not to exceed \$30,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3256

Addendum addition 19: An ordinance amending Section 2-17.2 of Chapter 2, "Administration," of the Dallas City Code, as amended; revising the size and composition of the City Auditor Nominating Commission; revising time limits relating to the selection of a City Auditor; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 25808.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3257

Addendum addition 20: Public Hearing – DEVELOPMENT CODE AMENDMENT

A public hearing was called on consideration of an amendment to the Dallas Development Code regarding the creation of a building site and an ordinance implementing the changes.

(The city plan commission recommended approval.)

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

The following individual addressed the city council regarding the Dallas Development Code amendment:

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 Garcia and unanimously adopted. (Chaney absent on city business; Greyson absent)

Assigned ORDINANCE NO. 25809.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3258

Addendum addition 21: Appointment of a member to the Dallas/Fort Worth International Airport Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Mayor Pro Tem Loza moved to appoint J. Jan Collmer to the Dallas/Fort Worth International Airport Board.

Motion seconded by Deputy Mayor Pro Tem Hill and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3259

Addendum addition 22: A resolution (1) formalizing the City Council's expressions of remorse regarding breakdowns in the City's war on drugs; (2) directing the Interim City Manager to work with the Police Chief to determine how a system designed to fight a war on drugs was subverted; (3) creating an Implementation Committee to see that the recommendations of the Independent Investigative Panel are pursued; (4) directing the Interim City Manager to coordinate staff efforts and ensure the recommendations of the Independent Investigative Panel, as well as those revealed by the work of the Interim City Manager and Police Chief, are implemented as soon as possible; and (5) directing the City Attorney to enter into good faith negotiations with those wrongfully arrested and to present a recommendation of fair compensation for each such person - Financing: No cost consideration to the City

Councilmember Garcia moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3260

Addendum addition 23: Authorize (1) extending the operational hours of the Day Resource Center located at 901 South Ervay to twenty-four hours, seven days a week for the period December 1, 2004 through September 30, 2005, and; (2) an increase in appropriations in the amount of \$292,000 in the Environmental and Health Services budget - Not to exceed \$292,000 - Financing: Contingency Reserve Funds

The following individuals addressed the city council regarding the item:

Betsy Lewis, 846 Sylvania Dr.  
Charles Jones, 2018 Berwick Ave., representing The Veterans  
John Brooks, 1721 John West, representing Veterans Affairs  
Billy White, 2929 Hickory St., representing Veterans Administration  
Elmo Walker, 4656 St. Francis Ave.  
Marty Colton, 3418 Idaho Ave.  
Greta Mankins, 93 Oak Forest, Whitney, representing Veterans Administration  
Clinton Anderson, 901 S. Ervay St.  
Michael Samuels, (no address given)  
Thelma Norman, 2628 Blackstone Dr., representing United of Oak Cliff

Mayor Pro Tem Loza moved to suspend the rule to allow Jack Harper to speak.

Motion seconded by Councilmember Lill and unanimously adopted. (Chaney absent on city business; Greyson absent)

Jack Harper, 902 S. Ervay St., representing Harper House

Councilmember Lill moved to approve the item.

Motion seconded by Councilmember Fantroy.

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

Mayor Miller declared the motion adopted on a divided voice vote, with Councilmember Blaydes voting "No". (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3261

Addendum addition 24: Authorize (1) the Dallas Housing Finance Corporation to issue tax-exempt mortgage revenue bonds in an amount not to exceed \$15,000,000 and taxable bonds in an amount not to exceed \$500,000 for the benefit of TX Simpson Villas Housing, L.P. for the new construction of up to 250 multifamily units for families, to be known as the Simpson Villas Apartments, located at 3200 Simpson Stuart Road; and, (2) support for the Texas Department of Housing Community Affairs to issue 4% tax credits to support development of the project - Financing: No cost consideration to the City  
Recommendation of Staff: Denial

Deputy Mayor Pro Tem Hill moved to deny the item.

Motion seconded by Mayor Pro Tem Loza and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3262

Addendum addition 25: Authorize (1) a twelve-month price agreement for automobiles, light trucks, vans and utility trucks with the lowest responsible bidders of seventeen - B & C Body Company Division of East Texas Mack Sales, L.P. in the amount of \$104,136, Baby Jack Ford Automotive LTD in the amount of \$82,799, Ft. Worth Freightliner in the amount of \$286,378, Friendly Chevrolet LTD in the amount of \$8,147,165, Gunn Chevrolet in the amount of \$118,852, Gunn Dodge LTD in the amount of \$159,227, Industrial Disposal Supply Co. in the amount of \$254,520, Sonic-Lute Riley, L.P. dba Lute Riley Honda in the amount of \$87,848, Masters International Trucks Inc. in the amount of \$516,740, Metro Ford Truck Sales, Inc. in the amount of \$737,505, Baby Jack II Automotive LTD, Inc. in the amount of \$17,837, Sam Pack's Five Star Ford of Carrollton in the amount of \$1,390,860, Southwest International Trucks, Inc. in the amount of \$150,993, Westway Ford in the amount of \$462,874, Dallas Peterbilt L.P. in the amount of \$2,259,525 and; (2) an increase in appropriations in an amount not to exceed \$700,000 in the 2004 Equipment Acquisition Contractual Obligation Notes - Total not to exceed \$14,777,260 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$13,803,821), 2003 Equipment Acquisition Contractual Obligation Notes (\$304,740), Building Inspection Current Funds (\$340,976), Current Funds (\$284,450), Texas Commission on Environmental Quality Grant Funds (\$43,273)

Councilmember Garcia moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3263

Addendum addition 26: Authorize a contract with CGI-AMS, Inc. (formerly known as American Management Systems, Inc.) for the implementation of a software upgrade to the City's financial and accounting system - Not to exceed \$2,937,225 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes (\$2,896,625), Current Funds (\$40,600)

Councilmember Thornton Reese moved to approve the item.

Motion seconded by Councilmember Lill and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3264

Addendum addition 27: A resolution pledging the City of Dallas commitment to fund \$140,000,000 of the \$160,000,000 additional cost for Dallas Area Rapid Transit (DART) to provide light rail transit service to Love Field through City sources, Regional Transportation Council funds and Dallas County Major Capital Improvement Program funds, and limiting DART's funding contribution to \$20,000,000 of the \$160,000,000 additional cost - Financing: This action has no cost consideration to the City

Councilmember Lill moved to approve the resolution.

Motion seconded by Councilmember Blaydes and unanimously adopted. (Chaney absent on city business; Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 10, 2004

04-3265

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, NOVEMBER 10, 2004

EXHIBIT C

12/13/2004 2:37 PM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS