

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 1997

97-0075

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR RON KIRK, PRESIDING

PRESENT: [15] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel

ABSENT: [0]

The meeting was called to order at 9:14 a.m.

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

The invocation was given by Councilmember Alan Walne.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 3:14 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, JANUARY 8, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0076

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: Gene Ruckle, 3103 Greenwood St.  
REPRESENTING: Center for Housing Resources  
SUBJECT: First-time Homebuyer Program

SPEAKER: Alice Rollins, 1012 Boll St.  
SUBJECT: Liberty/Justice

SPEAKER: Mary McCants, 4921 Berridge Ln.  
SUBJECT: First-time Homebuyer Program

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Fahim Minkah, 7106 Nandina Dr.  
REPRESENTING: United Front of Dallas  
SUBJECT: Section 108 loan applications

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Dallas' media

SPEAKER: George Hicks, 8314 San Cristobal Dr.  
SUBJECT: Devotional message

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0077

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of December 11, 1996, and the briefing meeting of December 18, 1996, were presented for approval.

Deputy Mayor Pro Tem Mayes moved to approve the minutes.

Motion seconded by Mayor Pro Tem Wells and unanimously adopted. (Hicks, Lipscomb absent when vote taken)

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0078

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-55, was presented for consideration.

The city secretary announced that his office had received written notice from members of the city council that consent agenda items 13, 16, 17, 18, 19, 20, 21, 22, 29, 48, 50 and 55 had been deferred until the next voting agenda meeting of the city council and notice that the items had been deferred had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that notice had been given in an addendum to the agenda that consent agenda item 3 had been deleted from the agenda and the addendum to the agenda had been posted in accordance with with Chapter 551, "OPEN MEETINGS," of the Texas Government Code.

Mayor Pro Tem Wells requested that consent agenda item 9 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Wells' request.

At the request of the city manager Mayor Kirk stated that consent agenda items 16, 17, 18, 19, 20, 21 and 22 would be called up later in the meeting with the request for deferral pending.

Mayor Pro Tem Wells moved to approve all items on the consent agenda with the exception of items 13, 48, 50 and 55 which had been deferred until the next voting agenda meeting of the city council at the request of members of the council, item 3 which had been deleted on the addendum to the agenda, item 9 which would be considered later in the meeting as an individual item, and items 16, 17, 18, 19, 20, 21 and 22 which would be considered later in the meeting with the request for deferral pending.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0079

Item 2: Authorize a professional services contract with APM & Associates, Inc. for the engineering design of drainage improvements for Adelaide and Kingsley Streets at Lisbon Branch, and erosion control improvements at 3419 Michigan Street on Alice Creek - \$38,806 - Financing: 1994-95 Community Development Grant Funds (\$28,190), 1995-96 Community Development Grant Funds (\$10,616)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0080

Item 3: Authorize a contract for the removal, installation, and upgrade of City-owned and operated underground fuel storage tanks (USTs) for Phase IV Project-A - A-Tech Environmental Systems, Inc. - lowest responsible bidder of five (5) - \$922,360 - Financing: Capital Construction Funds (\$244,412), Aviation Current Fund (\$127,948), Park and Recreation Facilities Improvement Fund (\$350,000), Police and Multiple Services Improvement Fund (\$200,000); (\$69,274 to be reimbursed by the state)

Deleted on the second addendum to the agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0081

Item 4: Authorize a contract for the construction of erosion control improvements for Woody Branch, Phase VI-A, located at 6111 Hunters View Lane; 912, 918 Glen Oaks Boulevard; 6025, 6031 Hunters View Lane; and a bridge over Woody Branch Creek on Red Bird Lane at Glen Oaks Boulevard - Craig Olden, Inc. - lowest responsible bidder of three - \$258,437 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0082

Item 5: Authorize a contract for the construction of sidewalk improvements on Talco Drive from Bronx Avenue to Veterans Drive - Hasty Contractor Service - lowest responsible bidder of seven - \$71,455 - Financing: 1993-94 Community Development Grant Funds (\$37,147), 1994-95 Community Development Grant Funds (\$17,053), Water Utilities Capital Construction Funds (\$17,255)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0083

Item 6: Lamar Street from Stoneman Street to Emery Street Storm Drainage Improvements

- \* Rescind Resolution #96-1808 approved on May 22, 1996 which awarded a contract to Z & S Construction, Inc. in the amount of \$793,287

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0084

Item 7: Lamar Street from Stoneman Street to Emery Street Storm Drainage Improvements

- \* Authorize a contract for the construction of storm drainage and channel excavation improvements along Lamar Street from Stoneman Street to Emery Street - BCI Utility Construction, Inc., second lowest responsible bidder of five - in an amount not to exceed \$879,137 - Financing: 1985 Bond Funds (\$784,688), Water Utilities Bond Funds (\$94,249), Water Utilities Capital Construction Funds (\$200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0085

Item 8: Authorize Supplemental Agreement No. 1 to the professional services contract with Conrad M. Siegel, Inc. Actuarial Consultants for additional actuarial review services relating to the Employee Retirement Fund actuarial assumptions and analysis of Employee Retirement Fund demographic and financial data - \$100,000 - from \$100,000 to \$200,000 - Financing: Contingency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0086

Item 9: Authorize Supplemental Agreement No. 1 to the professional services contract with Alexander & Alexander Consulting Group, Inc. for additional actuarial review services relating to the Employee Retirement Fund actuarial assumptions and analysis of Employee Retirement Fund demographic and financial data - \$50,000 - from \$35,000 to \$85,000 - Financing: Contingency Funds

Mayor Pro Tem Wells requested that consent agenda item 9 be considered as an individual item. Mayor Kirk stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Wells' request.

Later in the meeting agenda item 9 was brought up for consideration.

Mayor Pro Tem Wells announced that he had a conflict of interest in this issue and would abstain from voting or participating in any discussion. Mayor Pro Tem Wells left the city council chamber.

Councilmember Luna moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Wells abstaining; Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0087

Item 10: Authorize Supplemental Agreement No. 1 to the professional services contract with John W. Peavy III, for investment advisory services relating to the Employee Retirement Fund investment portfolio's asset mix and projected rate of return for the portfolio as a whole to assist with the monitoring and evaluation of the performance of the investments of the Employee Retirement Fund - \$20,000 - from \$15,000 to \$35,000 - Financing: Contingency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0088

Item 11: Authorize Supplemental Agreement No. 1 to the contract with Carter & Burgess, Inc. for design services for ballfield improvements at Crawford/Elam and Fireside Parks - \$57,500 - from \$69,360 to \$126,860 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0089

Item 12: Authorize Supplemental Agreement No. 1 to the contract with Ibanez Architecture for design services for interior renovation at Harry Stone Recreation Center and improvements at Martin Weiss Recreation Center - \$49,860 - from \$56,500 to \$106,360 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0090

Item 13: Authorize Supplemental Agreement #13 to the contract with JPJ Architects, Inc. for the preparation of construction bid documents and construction observation for Convention Center Renovation Projects (manufacture and installation of escalator, escalator and exit door additions, door modifications) - \$58,392 - from \$6,734,352 to \$6,792,744 - Financing: Convention Center Expansion Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 13 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

January 8, 1997

97-0091

Item 14: Adoption of 1997 SCHEDULE "A" Prevailing Wage Rates for public building construction for the City of Dallas as the minimum acceptable on "public works" projects  
- Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0092

Item 15: Adoption of 1997 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: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0093

Item 16: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Jupiter Road from Garland Road to Centerville Road - \$20,408 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 16 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 16 would be called up later in the meeting with the request for deferral pending.

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

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 16 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 16, and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0094

Item 17: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Park Lane from US 75 (North Central Expressway) to Greenville Avenue - \$17,472 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 17 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 17 would be called up later in the meeting with the request for deferral pending.

Later in the meeting agenda item 17 was brought up for consideration.

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 17 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 17, and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0095

Item 18: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Skillman Street from the Union Pacific Railroad (DART) to Lovers Lane - \$29,318 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 18 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 18 would be called up later in the meeting with the request for deferral pending.

Later in the meeting agenda item 18 was brought up for consideration.

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 18 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 18, and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0096

Item 19: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Montfort Drive from Peterson Lane to Alpha Road - \$16,101 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 19 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 19 would be called up later in the meeting with the request for deferral pending.

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

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 19 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 19, and to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0097

Item 20: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Sam Houston Road from Forney Road to Scyene Road - \$75,038 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 20 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 20 would be called up later in the meeting with the request for deferral pending.

Later in the meeting agenda item 20 was brought up for consideration.

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 20 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 20, and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0098

Item 21: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Hatcher Street from Haskell Avenue to Spring Avenue - \$22,829 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 21 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 21 would be called up later in the meeting with the request for deferral pending.

Later in the meeting agenda item 21 was brought up for consideration.

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 21 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 21, and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0099

Item 22: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of paving improvements to Elam Road from St. Augustine Road to Balch Springs City Limits - \$23,741 - Financing: 1995 Bond Funds

The city secretary announced that Councilmember Lipscomb 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 of Procedure.

At the request of the city manager Mayor Kirk stated that consent agenda item 22 would be called up later in the meeting with the request for deferral pending.

Later in the meeting agenda item 22 was brought up for consideration.

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred agenda item 22 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Mallory Caraway moved to suspend the rules of the city council in order to consider agenda item 22, and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0100

Item 23: Authorize a participation contract between the City of Dallas and Methodist Medical Center for construction of a traffic signal at Beckley Avenue and Methodist Medical Center Driveway - Financing: \$80,000 (to be reimbursed by Methodist Medical Center)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0101

Item 24: Crawford Street from Neely Street to Canty Street

- \* Authorize paving improvements; provide partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0102

Item 25: Crawford Street from Neely Street to Canty Street

- \* Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0103

Item 26: D-FW International Airport Expansion Project

- \* Authorize acquisition of individual avigation easements over 39 residential properties above approximately 7 acres of land located in the City of Irving, Texas for D-FW International Airport Expansion project - \$1,078,125 (\$517,500 in easement acquisition payments and \$560,625 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City) (list attached)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0104

Item 27: D-FW International Airport Expansion Project

- \* Authorize acquisition of one (1) single-family residential property owned by Kenneth T. and Sharon Hartman containing approximately 8,723 square feet of land located at 4003 N. Greenview Drive in the City of Irving, Texas for the D-FW International Airport Expansion project - \$23,500 - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0105

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dresser Industries, Inc., of approximately 3.6 acres of unimproved land located near the intersection of Illinois Avenue and Coombs Creek Drive for the Five Mile Creek Greenbelt - \$43,400 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0106

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stephen M. Millwee and Melvin W. Jackson, of approximately 15,071 square feet of land improved with an outdoor advertising billboard for the Trinity Express Commuter Rail Project on the RAILTRAN Corridor near the intersection of Oak Lawn Avenue and Alamo Street - \$37,700 - Financing: RAILTRAN Operating Fund

The city secretary announced that Councilmembers Mallory Caraway and Fielding had deferred consideration of consent agenda item 29 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

January 8, 1997

97-0107

Item 30: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two wastewater easements containing a total of approximately 7,470 square feet of unimproved land and two temporary construction easements containing a total of approximately 3,733 square feet of unimproved land, located near the intersection of Simpson Stuart Road and S. Central Expressway for the construction of a sanitary sewer main - \$6,275 - Financing: Water Utilities Capital Construction Funds (list attached)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0108

Item 31: Authorize settlement in lieu of proceeding to a jury trial in the amount of \$42,000 for approximately 3.13 acres of land from Alvin L. Milliken, Sr., for the Lake Fork Water Pipeline - \$42,000 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0109

Item 32: Authorize conveyance of an easement to Texas Utilities Electric Company, containing approximately 1,050 square feet of land, to provide electric service for Fire Station No. 30, located on Zodiac Lane and Royal Lane - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0110

Item 33: An ordinance granting a revocable license to Texas Bank and Trust, N.A., containing approximately 53 square feet of land, for the purpose of installing, using, and maintaining an aerial telephone and computer communication cable over Wenchell Lane near its intersection with Harwood Street - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 22979.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0111

Item 34: An ordinance granting renewal of a revocable license to Mary Elizabeth Hart, Independent Executrix of the Will and the Estate of James Carney Hart, containing approximately 225 square feet of land, for the purpose of using and maintaining an existing retaining wall and sodded area in Canty Street right-of-way near its intersection with Bishop Avenue - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 22980.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0112

Item 35: Authorize the execution of a quitclaim deed to Peter A. Pyhrr for approximately 8,707 square feet of surplus D/FW RAILTRAN SYSTEM right-of-way near the intersection of Profit Drive and Diplomacy Row - Revenue: \$17,414 (80% to be remitted to the Federal Transit Administration, 13% to the State of Texas and 7% to be retained by the D/FW RAILTRAN SYSTEM)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0113

Item 36: An ordinance abandoning five storm sewer easements to SST Investments, the abutting owner, containing approximately 4,403 square feet of land, located near the intersection of Lancaster Road and Ledbetter Drive, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 22981.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0114

Item 37: An ordinance granting a private license to Daryl Richardson Gourmet Catering, Inc., containing approximately 1,575 square feet of land, for the purpose of constructing, installing, and maintaining a new sidewalk, curbing, landscaping and a garden wall on Hord Street right-of-way near its intersection with Griffin Street - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 22982.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0115

Item 38: An ordinance granting a private license to East End Market Place Limited, containing approximately 695 square feet of land, for the purpose of constructing, using, installing and maintaining handicap ramps, docks, steps and awnings on Marilla Street near its intersection with Central Boulevard - Revenue: \$414 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 22983.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0116

Item 39: Authorize a twelve month multiple award contract with two twelve month renewal options for auctioneer services with the lowest responsible bidders of two - Lone Star Auctioneers, Inc. and Tommy Lutes Auctioneers - Financing: Current Funds (5.49% to 20% commission on gross sales per auction (excluding taxes)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0117

Item 40: Authorize a thirty-six month multiple award price agreement for automotive batteries with the lowest responsible bidders of nine - Reliable Battery Company and Nationwide Battery Company - Not to exceed \$644,900 - Financing: Current Funds (\$625,500), Water Utilities Current Funds (\$14,100), Aviation Current Funds (\$5,300)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0118

Item 41: Authorize a twenty-four month multiple award price agreement for courier/delivery services used by Equipment, Communications & Information Services with the lowest responsible bidders of four - Acute Messenger Service and Champion Courier Service, Inc. - Not to exceed \$62,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0119

Item 42: Authorize the purchase of two (2) rear mount aerial ladder trucks through the Houston - Galveston Area Council of Governments (H-GAC) interlocal agreement - not to exceed \$806,202 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0120

Item 43: Authorize a twenty-four month price agreement for jet fuel and oil used in helicopters by Dallas Police Department with the lowest responsible bidders of three - Superior Lubricants, Inc. and Truman Arnold Companies - Not to exceed \$128,530 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0121

Item 44: Authorize a twenty-four month price agreement for inlet covers, grates, frames, rings, manhole risers and covers used by Street, Sanitation & Code Enforcement with the lowest responsible bidders of five - Bass & Hays Foundry, Inc., Deeter Foundry, Inc., Utilities Products Int'l., Inc. - Not to exceed \$428,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0122

Item 45: Authorize the rejection of one bid received for a thirty-six month price agreement for Ford automotive parts and labor and authorize 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

January 8, 1997

97-0123

Item 46: Authorize ratification of emergency purchase for the repair on the failed 19DK 300 ton chiller at the 500 S. Ervay building - Trane Service Group - \$28,137 - Financing: 500 S. Ervay Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0124

Item 47: Authorize a professional services contract with Rimkus Consulting Group, Inc., for the services of Jerry E. Mercer, P.E., and Dr. Daniel A. Bridge, which are necessary to assist the City of Dallas in the defense of a lawsuit styled James Jennings, et al. v. City of Dallas, Cause No. 95-11931-B, in an amount not to exceed \$22,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0125

Item 48: Authorize a professional services contract with Crosson Dannis, Inc. to appraise Redbird Airport, located at the intersection of State Highway 67 and Hampton Road, in order to assist in determining development potential for the Redbird Airport and surrounding City owned property, with respect to current land and existing improvement values - \$39,500  
- Financing: Aviation Capital Construction Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 48 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

January 8, 1997

97-0126

Item 49: Authorize approval to enter into an interlocal agreement between the City of Dallas and Dallas County to provide a rental assistance program for the hard-to-reach homeless for the period of January 1, 1997 through September 30, 1998, in an amount not to exceed \$300,000 - Financing: 1996-97 HOME Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0127

Item 50: Authorize approval to enter into an interlocal agreement with Parkland Health and Hospital District to reimburse Parkland for the cost of furniture and fixtures purchased for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) located in the East Dallas Health Center, in an amount not to exceed \$54,803 - Financing: Texas Department of Health Grant Funds

The city secretary announced that Councilmember Fielding had deferred consideration of consent agenda item 50 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

January 8, 1997

97-0128

Item 51: Authorize a public hearing on February 12, 1997 to receive citizen comments on the proposed sale of a portion of the Columbia/Abrams open space totaling approximately .32 acres from that area originally acquired as street right-of-way but not used for that purpose and subsequently set aside as park/open space - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0129

Item 52: Authorize a public hearing on February 12, 1997 to receive citizen comments on the proposed use of a portion of Lake Cliff Park for the placement of two 8'X8' multiple box culverts to replace the existing 72" R.C.P. storm drainage system through the Park for a distance of approximately 315 linear feet along with associated access and staging areas  
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0130

Item 53: Ordinance authorizing a change of zoning from an R-7.5(A) Single Family District to a CR Community Retail District, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning on property located at 3055 Webb Chapel Extension, southwest of Timberline Drive (Z934-167/9594-N) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 22984.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0131

Item 54: Authorize a Fourth Amendment to the original interlocal agreement with the Dallas County District Attorney for the City's participation in the Dallas County Commercial Auto Theft Prevention Authority grant, extending the term of the agreement to August 31, 1997, and allowing reimbursement to the City for salaries and benefits in an amount not to exceed \$138,224 - Financing: State Automobile Theft Prevention Authority Grant Funds Awarded to Dallas County

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0132

Item 55: Authorize 1) a public hearing to be held on January 22, 1997 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone Number 35, consisting of approximately 30.914 acres located at 8435 Stemmons Freeway, City of Dallas, Texas, in order for the property to be eligible for commercial-industrial tax abatement, 2) an ordinance creating City of Dallas Reinvestment Zone Number 35 on January 22, 1997 and 3) a tangible personal property tax abatement agreement with First American Real Estate Information Services, Inc. and its lessor Stemmons Empire Associates, L.P., a Texas Limited Partnership on January 22, 1997 - Financing: No cost consideration to the City

The city secretary announced that Councilmember Fielding had deferred consideration of consent agenda item 55 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

January 8, 1997

97-0133

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 56-64, was presented.

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

- Agenda item 56: Zoning Case Z956-329/6163-C (RB)
- Agenda item 57: Zoning Case Z956-103/10189-SW (RB)
- Agenda item 58: Zoning Case Z956-104/10187-SE (DW)
- Agenda item 59: Zoning Case Z956-105/2512-SW (RB)
- Agenda item 60: Zoning Case Z967-107/10188-NE (DW)
- Agenda item 61: Zoning Case Z956-111/10202-C (CR)
- Agenda item 62: Zoning Case Z956-112/10203-SE (CR)
- Agenda item 63: Zoning Case Z956-113/10205-C (CR)
- Agenda item 64: Zoning Case Z956-296/9697-NC (CR)

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

The following individual appeared to comment on cases on the consent zoning docket:

- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z956-296/9697-NC(CR)

Councilmember Lipscomb moved to close the public hearing, accept the recommendation of the city plan commission in each consent zoning docket case and pass all ordinances and approve all resolutions presented as part of the consent zoning docket.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0134

Item 56: Zoning Case Z956-329/6163-C (RB)

Zoning Case Z956-329/6163-C (RB), an application for and an ordinance granting an amendment to the conditions for Planned Development Subdistrict No. 13 for Multiple Family and SC Shopping Center Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, to permit commercial parking on property on the southeast side of Cole Avenue between Lemmon Avenue and Hall Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22985.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0135

Item 57: Zoning Case Z956-103/10189-SW (RB)

Zoning Case Z956-103/10189-SW (RB), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned a CR Community Retail District on the west side of Hampton Road, north of Illinois Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22986.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0136

Item 58: Zoning Case Z956-104/10187-SE (DW)

Zoning Case Z956-104/10187-SE (DW), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned a CR Community Retail District located south of Lake June Road and east of Masters Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22987.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0137

Item 59: Zoning Case Z956-105/2512-SW (RB)

Zoning Case Z956-105/2512-SW (RB), an application for and an ordinance granting an amendment to and the expansion of Planned Development District No. 232 for Medical Uses, Office and a Commercial Laundry Facility with an ID-1 Institutional Overlay District to include property presently zoned an A(A) Agricultural District, with the ID-1 Institutional Overlay District to be terminated, and further to convert the Planned Development District from Chapter 51 to Chapter 51A on property at the southeast corner of Wheatland Road and Bolton Boone Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22988.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0138

Item 60: Zoning Case Z956-107/10188-NE (DW)

Zoning Case Z956-107/10188-NE (DW), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to the granting of an R-7.5(A) Single Family District on property presently zoned a TH-3(A) Townhouse District located west of Audelia Road and north of Trevor Drive, and an ordinance implementing the change of zoning.

(The city plan commission recommended approval of a change of zoning to an R-7-5(A) Single Family District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22989.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0139

Item 61: Zoning Case Z956-111/10202-C (CR)

Zoning Case Z956-111/10202-C (CR), an application for and an ordinance granting a Specific Use Permit for Private Streets on property presently zoned a TH-1 Townhouse Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, involving property within the right-of-way for Park Bridge Court and Turtle Creek Circle, south of Turtle Creek Boulevard.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22990.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0140

Item 62: Zoning Case Z956-112/10203-SE (CR)

Zoning Case Z956-112/10203-SE (CR), an application for and an ordinance granting a Specific Use Permit for a Radio, Television or Microwave Tower on property presently zoned as Subarea I within Planned Development District No. 366-Dry, the Buckner Boulevard Special Purpose District, on the east side of Buckner Boulevard, north of Barclay Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22991.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0141

Item 63: Zoning Case Z956-113/10205-C (CR)

Zoning Case Z956-113/10205-C (CR), an application for and an ordinance granting application for and an ordinance granting an NS Neighborhood Service Subdistrict on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the south corner of Fairmount Avenue and Knight Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22992.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0142

Item 64: Zoning Case Z956-296/9697-NC (CR)

Zoning Case Z956-296/9697-NC (CR), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1216 for a Commercial Amusement (Outside) use for a golf practice and driving range on property presently zoned an MU-3 Mixed Use District at the west corner of Goldmark Drive and North Central Expressway.

(The city plan commission recommended approval with a one-year time period in place of the present ten-year time period, with eligibility for automatic renewal for an additional seven-year time period.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22993.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0143

Item 65: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public hearing was called to receive comments on consideration of an amendment to the Dallas Development Code establishing new regulations governing fences, and an ordinance implementing the proposal

(The city plan commission recommended approval.)

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

-- D.D McDonald, 814 Buckalew St.

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

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

Assigned ORDINANCE NO. 22994.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0144

Item 66: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public hearing was called to receive comments on consideration of an amendment to the Dallas Development Code establishing a new off-street parking requirement for a micro-brewery when accessory to a use such as a bar or restaurant, and an ordinance implementing the proposal

(The city plan commission recommended approval.)

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

-- D.D McDonald, 814 Buckalew St.

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

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

Assigned ORDINANCE NO. 22995.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0145

Item 67: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public hearing was called to receive comments on consideration of an amendment to the Dallas Development Code establishing new regulations governing the dumping of dirt on private property, and an ordinance implementing the proposal

(The city plan commission recommended approval.)

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

-- D.D McDonald, 814 Buckalew St.

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

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

Assigned ORDINANCE NO. 22996.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0146

Item 68: Public Hearing - Zoning Case Z967-101/9659-SW (RB)

Zoning Case Z967-101/9659-SW (RB), an application for a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5 (A) Single Family District on the east side of Greenspan Avenue, north of Camp Wisdom Road.

(The city plan commission recommended denial.)

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

Councilmember Hicks moved to postpone consideration of the application until the January 22, 1997 meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Luna, Fielding absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0147

Item 69: Public Hearing - Zoning Case Z956-257/10103-NE/(RB)

A public hearing was called on zoning case Z956-257/10103-NE(RB), an application for and an ordinance granting a Planned Development District for Mini-warehouse, Outside Storage, and MU-2 Mixed Use District Uses on property presently zoned an MU-2 Mixed Use District on the southeast side of Greenville Avenue, north of Walnut Hill Lane.

(The city plan commission recommended approval with MU-2(SAH) Mixed Use (Standard Affordable Housing) District uses in lieu of the requested MU-2 Mixed Use District Uses, subject to a conceptual plan and conditions. This application was considered by the City Council on September 25, 1996, October 9, 1996, and again on October 23, 1996, and was taken under advisement with the public hearing open.)

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

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

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Luna, Duncan, Fielding, McDaniel absent when vote taken)

Assigned ORDINANCE NO. 22997.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0148

Item 70: Public Hearing - Zoning Case Z956-254/10102-NC(RB)

A public hearing was called on zoning case Z956-254/10102-NC(RB), an application for and an ordinance granting a Specific Use Permit for a Private School and Child-care Facility (Hillcrest Academy) on property presently zoned an R-16(A) Single Family District at the northeast corner of Royal Lane and Jamestown Road.

(The city plan commission recommended approval for a one-year time period with eligibility for automatic renewal for an additional time period until June 15, 1998, subject to a site and landscape plan and conditions. This application was considered by the City Council on December 11, 1996, and was taken under advisement until January 8, 1997 with the public hearing open.)

Cherryl J. Peterman, director of planning, reminded the city council that in accordance with subparagraph (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 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.

Appearing in opposition to the recommendation of the city plan commission:

- James S. Raber, 10749 Villager Rd.
- Farrell Trask, 5834 Gramercy Pl.
- Adelene Harrison, 5841 Burgundy Rd.

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

- Kirk Williams, 5400 Renaissance Tower, representing the applicant, Hillcrest Academy

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

Motion seconded by Councilmember Salazar.

Councilmember Duncan asked Councilmember Blumer if she would accept a friendly amendment to her motion to provide that the motion to approve the zoning request in this case is not a precedent to future cases.

Councilmember Blumer accepted the amendment as a part of her motion.  
Councilmember Salazar, who seconded the original motion, also accepted the amendment.

At the conclusion of debate Mayor Kirk called the vote on Councilmember Blumer's motion as modified by the friendly amendment.

Voting Yes: [14] Kirk, Wells, Mayes, Salazar, Stimson, Duncan, Hicks, Mallory Caraway,  
Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel  
Voting No: [1] Luna

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 22998.

Councilmember Luna stated that he wished to place in the minutes his dissent and protest to the approval of the zoning and the passage of the ordinance in this case in accordance with Rule 4.8 of the City Council Rules of Procedure, and that he had filed with the city secretary a letter dated December 11, 1996 from the applicant, The Hillcrest Academy, to Councilmember Donna Blumer. Councilmember Luna stated that he wanted the letter entered in the minutes as the reason for the dissent and protest.

The following letter is made a part of the minutes in accordance with the request of Councilmember Luna:

The Hillcrest Academy  
5923 Royal Lane  
Dallas, Texas 75230  
214/363-3322  
Fax: 214/363-2142

December 11, 1996

Councilwoman Donna Blumer  
Dallas City Council  
1500 Marilla  
Dallas, TX 75201

RE: Hillcrest Academy  
5923 Royal Lane @ Jamestown  
Z956-254/10102-NC

Dear Councilwoman Blumer:

As you are aware, the Hillcrest Academy has applied for a Specific Use Permit (SUP) for a private school and child care facility at St. Luke's Episcopal Church. As part of that process, the Hillcrest Academy Board of Trustees has volunteered certain stipulations to be contained in the SUP conditions. Since the City has elected not to include all of the volunteered stipulations, this letter is to reaffirm that:

1. The maximum enrollment of students at any one time will not exceed 125.
2. The private school and child care facility will cease operation at the referenced location no later than May 31, 1998. The Hillcrest Academy desires a SUP through May 31, 1998, and will not seek, under any circumstances, to extend the SUP at this location beyond May 31, 1998.

3. No outside recreation activities for the school will take place within ninety-five feet (95') of the residential lots located north of the referenced site.
4. No basketball playing as a part of school activities is authorized north of the existing driveway to Jamestown Road.
5. Parents will be advised to approach the school from Jamestown Road by way of Royal Lane. It is the desire of Hillcrest Academy to be sensitive to established residential neighborhoods and to direct parents to use existing thoroughfares rather than neighborhood streets when taking the students to and picking them up from school. Accordingly, school traffic will be directed to exit on Jamestown Road in a southerly direction and to use Royal Lane as an exit route. Families living north of the site will be directed to take a right on Royal Lane and a right on the Tollway service road and/or main lanes of the Tollway. The Hillcrest Academy will monitor the arriving and existing [sic] to seek compliance with this provision.

Thank you for your time and support on this matter.

Sincerely,  
/s/ Marty Sweeney

Marty Sweeney, Chairman, Hillcrest Academy Foundation  
on behalf of  
The Hillcrest Academy Foundation Board of Trustees

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0149

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Worcola Street from Vickery Boulevard to Goodwin Avenue

- Item 71: \* Benefit assessments hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 72: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 73: \* Authorize a contract for construction of street paving, storm drainage, water and wastewater main improvements for the street listed above - OCI - Omega Contracting, Inc. - lowest responsible bidder of four - \$130,115 - Financing: 1995 Bond Funds (\$78,382), Water Utilities Bond Funds (\$42,333) and Water Utilities Capital Construction Funds (\$9,400)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements for Worcola Street from Vickery Boulevard to Goodwin Avenue.

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

Councilmember McDaniel moved to close the public hearing, pass the ordinance levying the assessments and award the contract.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Luna, Fielding absent when vote taken)

Assigned ORDINANCE NO. 22999.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0150

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Wagon Wheels Trail from Lazy River Drive to Lancaster Road

- Item 74: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the above listed street
- Item 75: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed street
- Item 76: \* Authorize a contract for construction of street paving, storm drainage, water and wastewater main improvements for the above listed street - Jeske Construction Company - lowest responsible bidder of eight - \$813,507 - Financing: 1995 Bond Funds (\$649,469), Water Utilities Bond Funds (\$154,838), Water Utilities Capital Construction Funds (\$9,200)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements for Wagon Wheels Trail from Lazy River Drive to Lancaster Road.

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

Appearing in favor of the proposed improvements or the assessments:

-- Raymond Williams, 1246 Whispering Trail.

Councilmember Lipscomb moved to close the public hearing, pass the ordinance levying the assessments and award the contract.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Luna absent when vote taken)

Assigned ORDINANCE NO. 23000.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0151

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Sidewalk Group 9701

1. Marsalis Avenue from Ledbetter Drive to Ann Arbor Avenue
2. Bellcrest Drive from Castle Hills Drive to Black Oak Drive

Item 77: \* Benefit assessment hearing for sidewalk paving and water appurtenance improvements for streets on attached list

Item 78: \* Ordinance levying benefit assessments for sidewalk paving and water appurtenance improvements for streets on attached list

Item 79: \* Authorize a contract for construction of sidewalk paving and water appurtenance improvements for the attached list of streets - Roadway Engineering & Construction, Inc. - lowest responsible bidder of six - \$59,520 - Financing: 1995 Bond Funds (\$55,235), Water Utilities Capital Construction Funds (\$4,285)

A public hearing was called to receive comments on a proposal to levy benefit assessments for sidewalk paving and water appurtenance improvements for the Sidewalk Group 9701.

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

Councilmember Lipscomb moved to close the public hearing, pass the ordinance levying the assessments and award the contract.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Luna absent when vote taken)

Assigned ORDINANCE NO. 23001.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0152

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Fonville Drive from Cordell Drive to Jennie Lee Lane

- Item 80: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main routine adjustments for the street listed above
- Item 81: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main routine adjustments for the street listed above
- Item 82: \* Authorize a contract for construction of street paving, storm drainage, water and wastewater main routine adjustments for the street listed above - OCI - Omega Contracting, Inc. - lowest responsible bidder of six - \$263,658 - Financing: 1995 Bond Funds (\$241,245), Water Utilities Capital Construction Funds (\$22,413)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main routine adjustments for Fonville Drive from Cordell Drive to Jennie Lee Lane.

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

Deputy Mayor Pro Tem Mayes moved to close the public hearing, pass the ordinance levying the assessments and award the contract.

Motion seconded by Councilmember Stimson and unanimously adopted. (Luna absent when vote taken)

Assigned ORDINANCE NO. 23002.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0153

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Alley Group 1105

1. Alley between Arnabus Drive and Moonstone Drive from Highland Hills Drive to Morningview Drive
2. Alley between La Grange Drive, Maxine Drive and Stagecoach Circle from Stagecoach Trail to Stagecoach Trail

Item 83: \* Benefit assessment hearing for alley paving and storm drainage improvements for Alley Group 1105

Item 84: \* Ordinance levying benefit assessments for alley paving and storm drainage improvements for Alley Group 1105 - Financing: This action has no cost consideration

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving and storm drainage improvements for the alleys in Alley Group 1105.

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

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

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Luna absent when vote taken)

Assigned ORDINANCE NO. 23003.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0154

Item 85: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary distributed a report showing board and commission nominations for the 1995-1997 board term, updated through January 7, 1997.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for some nominees. The city secretary stated that the report should now show that Jack V. Lewis and Rachel Lee McGee, both nominated to serve on the Cultural Affairs Commission, Jay C. English, nominated to serve on the Dallas Citizens Police Review Board, Betty J. Culbreath and Adelfa B. Callejo, both nominated to serve on the Dallas-Fort Worth International Airport Board, John C. Creuzot, nominated to serve on the Judicial Nominating Commission, Howard (Nick) Glazbrook III, nominated to serve on the Landmark Commission, Billie L. Anderson, nominated to serve on the Martin Luther King Jr. Community Center Board, and Mari Latoya Simmons and Amanda M. Mabry, both nominated to serve on the Youth Commission, meet all qualifications for appointment to those boards.

Mayor Pro Tem Wells moved to appoint all of the individuals nominated to serve as members of the Board of Adjustment, the Cultural Affairs Commission, the Dallas Citizens Police Review Board, the Judicial Nominating Commission, the Landmark Commission, the Municipal Library Board, the Martin Luther King Jr. Community Center Board, and the Youth Commission who meet all qualifications for appointment as determined by the city secretary and reported to the city council, all for terms ending August 31, 1997, and to postpone consideration of appointments to the Dallas-Fort Worth International Airport Board until the January 15, 1997 briefing meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Lipscomb absent when vote taken)

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

97-0177 BOA BOARD OF ADJUSTMENT  
97-0178 CAC CULTURAL AFFAIRS COMMISSION  
97-0179 CPR DALLAS CITIZENS POLICE REVIEW BOARD  
97-0180 JNC JUDICIAL NOMINATING COMMISSION  
97-0181 LMCLANDMARK COMMISSION  
97-0182 MLBMUNICIPAL LIBRARY BOARD  
97-0183 MLKMARTIN LUTHER KING JR COMMUNITY CENTER BOARD  
97-0184 YAC YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0155

Item 86: Authorize approval of the bi-weekly tax action

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted. (Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0156

Item 87: Authorize an amendment to the annual taxicab operating authority of State Cab Company to increase its authorized fleet by 50 vehicles. Revenue: \$12,500 annually

Councilmember Luna moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0157

Item 88: Approve an amendment allowing for an extension of three years to the tax abatement agreement with Frito-Lay, Inc. and an eight year abatement of taxes on the business personal property associated with a new production line. The property is located within an area of the City of Dallas Reinvestment Zone #21 located at 3458 Duncanville Road, Dallas, Texas - Financing: No cost consideration to the City. Revenue: First year tax Revenue estimated at \$25,631/Revenue over ten-year tax abatement period \$256,313 (Estimated revenue foregone for 10-year abatement \$615,152)

Councilmember Stimson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0158

Item 89: Authorize (i) a real property tax abatement with American Pallet Recyclers, Inc. for a 10-year abatement of taxes on 90% of the added value to the real property located within an area of the City of Dallas Enterprise Zone One at 2401 Vinson Street, Dallas, Texas, and (ii) a 100% development fee rebate not to exceed \$5,000 - Financing: Public/Private Partnership Fund - Revenue: First year tax revenue estimated at \$335 (Estimated revenue foregone for 10-year abatement \$30,155)

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0159

Item 90: Amend the City of Dallas Public/Private Partnership Program Guidelines and Criteria to (I) provide that the tax abatement period under both tangible personal property and real property tax abatement agreements shall begin no later than January 1 of the 2nd calendar year following the calendar year in which the resolution authorizing a tax abatement agreement was approved; and (ii) apply the business personal property tax abatement incentive only to net new business personal property value, that is the difference between existing business personal property value and new business personal property value - Financing: No cost consideration to the City

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 90 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

January 8, 1997

97-0160

Item 91: Authorize an amendment to Resolution No. 96-2928, approved by City Council on September 11, 1996, awarding \$75,000 in Community Development Grant Funds to the West Dallas Neighborhood Development Corporation for partial funding of the cost of building a job training facility for West Dallas youth. The amended resolution will authorize the City's acquisition of a lien on the leasehold to secure a no-interest forgivable note, and authorize the release of lien and cancellation of the note upon the City Manager's determination that the property has been used in accordance with the contract requirements for a minimum of five years, and that Community Development Block Grant eligible services have been provided at the property to eligible persons for a minimum of five years - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0161

Item 92: Authorize a real property tax abatement agreement with Home Depot U.S.A., Inc. for abatement of taxes on new real property for the expansion and development of the company's new retail building supplies store within an area of the City of Dallas Enterprise Zone Three, consisting of approximately 129,950 square feet on 9.7 acres of land located at the 6100 block of Lemmon Ave and Atwell Street, Dallas, Texas 75209 - Financing: No cost consideration to the City. Revenue: First Year Tax Revenue estimated at \$4,300 (Estimated revenue foregone for 10-year abatement \$387,025)

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 92 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

January 8, 1997

97-0162

Item 93: Authorize 1) a public hearing to be held on January 22, 1997 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone Number 36, consisting of approximately 22.6148 acres located at the 2800 Forest Lane, City of Dallas, Texas 75234 in order for the property to be eligible for a commercial-industrial property tax abatement; 2) Authorize an Ordinance creating City of Dallas Reinvestment Zone Number 36 on January 22, 1997 and 3) Authorize a real property tax abatement agreement with Home Depot U.S.A., Inc. and its lessor 2800 Forest Lane, Inc., on January 22, 1997 - Financing: No cost consideration to the City

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 93 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

January 8, 1997

97-0163

Item 94: Authorize a development agreement with Oak Creek Partners, Ltd., (Oak Creek) for the funding of certain permanent public infrastructure improvements for the design and construction of changes to the alignment and approach of Blackburn Street on the west side of Central Expressway located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) - Financing: a principal in an amount not to exceed \$3,500,000 to be provided by private funds to be reimbursed plus interest from the Cityplace Area TIF District Tax Increment Fund and/or Tax Increment Bonds. Accrued interest on private funds to be repaid solely from the Cityplace TIF District Tax Increment Fund

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 94 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Fielding stated that he had notified the city secretary in writing that he had deferred agenda item 94 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Stimson moved to suspend the rules of the city council in order to consider agenda item 94, and to approve the item.

Motion seconded by Councilmember McDaniel and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0164

Item 95: Authorize a resolution declaring the intent of the City of Dallas to utilize tax increment proceeds to reimburse Oak Creek Partners, Ltd. for certain expenditures made under a development agreement between Oak Creek Partners, Ltd., (Oak Creek) and the City of Dallas, on behalf of the Cityplace Area TIF District, for the purpose of public infrastructure improvements for the design and construction of changes to the alignment and approach of Blackburn Street on the west side of Central Expressway located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) - Financing: a principal in an amount not to exceed \$3,500,000 to be provided by private funds to be reimbursed plus interest from the Cityplace Area TIF District Tax Increment Fund and/or Tax Increment Bonds. Accrued interest on private funds to be repaid solely from the Cityplace TIF District Tax Increment Fund

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 95 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Fielding stated that he had notified the city secretary in writing that he had deferred agenda item 95 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Stimson moved to suspend the rules of the city council in order to consider agenda item 95, and to approve the item.

Motion seconded by Councilmember McDaniel and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0165

Item 96: Authorize the City Manager to place a plaque at San Jacinto and McCoy Street identifying McCoy Street as "L. J. Taylor Blvd." for the weeks of February 16 through February 28, 1997 to honor his 65th anniversary celebration (Councilmember McDaniel via Mayor Kirk)

Councilmember McDaniel moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0166

Item 97: Authorize acceptance of a grant in the amount of \$45,468 from the Texas Natural Resource Conservation Commission for a Community Recycling Public Amend the City of Dallas Public/Private Partnership Program and execution of the grant agreement-  
Financing: Texas Natural Resource Conservation Commission Grant Funds

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0167

Item 98: Authorize a professional services contract with Conley Design Group, Inc. to provide preliminary plans, construction plans, specifications, contract documents and contract administration for roof repairs at Reunion Arena - \$57,400 - Financing: Convention Center Capital Construction Funds

Councilmember Luna moved to approve the item.

Motion seconded by Deputy Mayor ProTem Mayes.

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

Mayor Kirk declared the motion adopted on a divided voice vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0168

Item 99: Authorize the purchase of mobile video and portable surveillance systems from Sur-Tec, Inc., only bidder - Not to exceed \$65,850 - Financing: 1995-96 Community Development Grant Funds

Councilmember Stimson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0169

Item 100: An ordinance adopting Dallas-Fort Worth International Airport Board Resolution No. 96-10-304, which provides for the adoption of current editions of model construction codes at the airport and deletes an exemption for the airport board and signatory airlines from the payment of certain construction fees at the airport - Financing: No cost consideration to the city

Councilmember Stimson moved to postpone consideration of the ordinance until the Dallas-Fort Worth International Airport Board had discussed the matter and made a recommendation to the city council, with a request that the recommendation be made in time for the city council to consider the ordinance as an action item at the January 15, 1997 briefing meeting of the city council.

Motion seconded by Councilmember Fielding and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0170

Addendum item 1:J. Erik Jonsson Library

- \* Authorize the City Manager to accept the second donation in the amount of \$250,000 from the Eugene McDermott Foundation to satisfy their \$500,000 pledge for the renovation of the first floor of the J. Erik Jonsson Central Library - Financing: Library Donations

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

*Note: Although listed on the agenda as two separate items, Addendum item 1 [97-0170] and Addendum item 2 [97-0171] were combined in one resolution.*

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0171

Addendum item 2:J. Erik Jonsson Library

- \* Authorize the City Manager to accept \$386,000 from the Friends of the Dallas Public Library, Inc. for their matching donation for current expense obligations for the renovation of the first floor of the J. Erik Jonsson Central Library - Financing: Library Donations

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

*Note: Although listed on the agenda as two separate items, Addendum item 1 [97-0170] and Addendum item 2 [97-0171] were combined in one resolution.*

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0172

Addendum item 3:J. Erik Jonsson Library

- \* Authorize Supplemental Agreement No. 1 with Booziotis & Company Architects, for additional architectural and engineering services associated with the J. Erik Jonsson Central Library Renovation Project, in the amount of \$42,000, from \$196,000 to \$238,000 - Financing: Capital Construction Funds (\$21,000) and Library Donations (\$21,000)

The city secretary announced that Councilmember Lipscomb had deferred consideration of addendum addition 3 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Fielding stated that he had notified the city secretary in writing that he had deferred addendum addition 3 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Poss moved to suspend the rules of the city council in order to consider addendum addition 3 and to approve the item.

Motion seconded by Councilmember Stimson.

After discussion Mayor Kirk called the vote on the motion then declared the motion adopted on a divided voice vote.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0173

Addendum item 4:J. Erik Jonsson Library

- \* Authorize a contract for construction of the J. Erik Jonsson Central Library First Floor Renovation Project - Precept Builders, Inc. - lowest responsible bidder of six - \$1,308,200 - Financing: Capital Construction Funds (\$654,100) and Library Donations (\$654,100)

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0174

Addendum item 5: Adoption of the FY 1996-97 Community Development Block Grant (CDBG) Reprogramming Budget to amend the FY1996-97 Consolidated Plan in the amount of \$1,373,677 to be used for the Second Mortgage First-time Homebuyer Program (Revolving Loan Fund/Mortgage Assistance Program) formerly known as the Dallas Affordable Housing Partnership Program and authorize and amendment to the Enterprise Foundation contract to increase the funding for the Revolving Loan Fund/Mortgage Assistance Program by \$1,373,677 - Financing: 1996-97 Community Development Grant Funds (\$624,610); 1995-96 Community Development Grant Funds (\$471,758); 1994-95 Community Development Grant Funds (\$251,072); 1993-94 Community Development Grant Funds (\$3,438); 1992-93 Community Development Grant Funds (\$21,630); 1991-92 Community Development Grant Funds (\$1,169)

The following individuals addressed the city council regarding the FY 1996-97 Community Development Block Grant Reprogramming Budget:

-- Jeff Bosse, 7008 Quatermile Ln.

Councilmember Stimson moved to approve the reprogramming budget as recommended by the Community Development Commission, but with a change that a portion of the funds that the commission does not want to go back into the revolving loan fund program be put there to bring it up to what the city manager says is necessary to fund all of the back applications, leaving approximately \$320,730 for the commission to put in the reprogramming budget in the fashion that they would normally do.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Luna moved to substitute for Councilmember Stimson's motion a motion to approve the reprogramming budget as recommended by the city manager, except that the \$152,923 to be taken from the Bonnie View storm drainage engineering project be deleted from the budget.

Motion seconded by Councilmember Duncan.

At the conclusion of debate Mayor Kirk called the vote on Councilmember Luna's substitute motion.

Voting Yes: [9] Kirk, Wells, Mayes, Luna, Duncan, Hicks, Poss, Walne, Blumer,  
Voting No: [6] Salazar, Stimson, Mallory Caraway, Lipscomb, Fielding, McDaniel

Mayor Kirk declared the substitute motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0175

EXECUTIVE SESSION

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

- Debra Walker, et al. v. HUD, et al.
- Legal Issues Regarding the Performance of and Possible Removal of the Council - Appointed Board Members (Trustees) of the Employees' Retirement Fund
- Downtown Sports Development Project - Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited
- Status of Dallas Stars and Dallas Mavericks Long Term Reunion Arena Lease Agreements

Deliberation Regarding Real Property (Sec. 551.072 T.O.M.A.)

- Downtown Sports Development Project - Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited

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

- Discussion Regarding the Performance of and Possible Removal of the Council - Appointed Board Members (Trustees) of the Employees' Retirement Fund

An executive session was held as authorized by Chapter 551, "OPEN MEETINGS," of the Texas Government Code (Texas Open Meetings Act) to discuss the following matters:

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

- Discussion Regarding the Performance of and Possible Removal of the Council - Appointed Board Members (Trustees) of the Employees' Retirement Fund

No other matters were discussed during the executive session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0176

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 1997

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, JANUARY 8, 1997

97-0075

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR RON KIRK, PRESIDING

PRESENT: [15] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel

ABSENT: [0]

CORRECTIONS TO THE MINUTES

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0166

Item 97: Authorize acceptance of a grant in the amount of \$45,468 from the Texas Natural Resource Conservation Commission for a Community Recycling Public [~~Amend the City of Dallas Public/Private Partnership Program Guidelines and Criteria to (i) provide that the tax abatement period under both tangible personal property and real property tax abatement agreements shall begin no later than January 1 of the 2nd calendar year following the calendar year in which the resolution authorizing a tax abatement agreement was approved; and (ii) apply the business personal property tax abatement incentive only to net new business personal property value, that is the difference between existing business personal property value and new business personal property value—~~Financing] Awareness and Education Program and execution of the grant agreement- Financing: Texas Natural Resource Conservation Commission Grant Funds

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Stimson and unanimously adopted.





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0086

Item 9: Authorize Supplemental Agreement No. 1 to the professional services contract with Alexander & Alexander Consulting Group, Inc. for additional actuarial review services relating to the Employee Retirement Fund actuarial assumptions and analysis of Employee Retirement Fund demographic and financial data - \$50,000 - from \$35,000 to \$85,000 - Financing: Contingency Funds

Mayor Pro Tem Wells requested that consent agenda item 9 be considered as an individual item. Mayor Kirk stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Wells' request.

Later in the meeting agenda item 9 was brought up for consideration.

Mayor Pro Tem Wells announced that he had a conflict of interest in this issue and would abstain from voting or participating in any discussion. Mayor Pro Tem Wells left the city council chamber.

Councilmember Luna moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Wells abstaining; Lipscomb absent when vote taken)

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**

**Resolution received: January 10, 1997 (4:20pm)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0126

Item 49: Authorize approval to enter into an interlocal agreement between the City of Dallas and Dallas County to provide a rental assistance program for the hard-to-reach homeless for the period of January 1, 1997 through September 30, 1998, in an amount not to exceed \$300,000 - Financing: 1996-97 HOME Program Grant Funds

Approved as part of the consent agenda.

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**

**Resolution received: January 10, 1997 (4:20pm)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0163

Item 94: Authorize a development agreement with Oak Creek Partners, Ltd., (Oak Creek) for the funding of certain permanent public infrastructure improvements for the design and construction of changes to the alignment and approach of Blackburn Street on the west side of Central Expressway located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) - Financing: a principal in an amount not to exceed \$3,500,000 to be provided by private funds to be reimbursed plus interest from the Cityplace Area TIF District Tax Increment Fund and/or Tax Increment Bonds. Accrued interest on private funds to be repaid solely from the Cityplace TIF District Tax Increment Fund

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 94 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Fielding stated that he had notified the city secretary in writing that he had deferred agenda item 94 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Stimson moved to suspend the rules of the city council in order to consider agenda item 94, and to approve the item.

Motion seconded by Councilmember McDaniel and unanimously adopted.

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**

**Resolution received: January 10, 1997 (10:56am)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0164

Item 95: Authorize a resolution declaring the intent of the City of Dallas to utilize tax increment proceeds to reimburse Oak Creek Partners, Ltd. for certain expenditures made under a development agreement between Oak Creek Partners, Ltd., (Oak Creek) and the City of Dallas, on behalf of the Cityplace Area TIF District, for the purpose of public infrastructure improvements for the design and construction of changes to the alignment and approach of Blackburn Street on the west side of Central Expressway located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) - Financing: a principal in an amount not to exceed \$3,500,000 to be provided by private funds to be reimbursed plus interest from the Cityplace Area TIF District Tax Increment Fund and/or Tax Increment Bonds. Accrued interest on private funds to be repaid solely from the Cityplace TIF District Tax Increment Fund

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 95 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Fielding stated that he had notified the city secretary in writing that he had deferred agenda item 95 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Stimson moved to suspend the rules of the city council in order to consider agenda item 95, and to approve the item.

Motion seconded by Councilmember McDaniel and unanimously adopted.

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**

**Resolution received: January 10, 1997 (10:57am)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0167

Item 98: Authorize a professional services contract with Conley Design Group, Inc. to provide preliminary plans, construction plans, specifications, contract documents and contract administration for roof repairs at Reunion Arena - \$57,400 - Financing: Convention Center Capital Construction Funds

Councilmember Luna moved to approve the item.

Motion seconded by Deputy Mayor ProTem Mayes.

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

Mayor Kirk declared the motion adopted on a divided voice vote.

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 14, 1997 (11:52am)**

**Resolution received: July 3, 1997 (11:57pm)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0170

Addendum item 1:J. Erik Jonsson Library

- \* Authorize the City Manager to accept the second donation in the amount of \$250,000 from the Eugene McDermott Foundation to satisfy their \$500,000 pledge for the renovation of the first floor of the J. Erik Jonsson Central Library - Financing: Library Donations

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

*Note: Although listed on the agenda as two separate items, Addendum item 1 [97-0170] and Addendum item 2 [97-0171] were combined in one resolution.*

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**  
**Resolution received: January 10, 1997 (4:20pm)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0171

Addendum item 2:J. Erik Jonsson Library

- \* Authorize the City Manager to accept \$386,000 from the Friends of the Dallas Public Library, Inc. for their matching donation for current expense obligations for the renovation of the first floor of the J. Erik Jonsson Central Library - Financing: Library Donations

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

*Note: Although listed on the agenda as two separate items, Addendum item 1 [97-0170] and Addendum item 2 [97-0171] were combined in one resolution.*

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**  
**Resolution received: January 10, 1997 (4:20pm)**



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0172

Addendum item 3:J. Erik Jonsson Library

- \* Authorize Supplemental Agreement No. 1 with Booziotis & Company Architects, for additional architectural and engineering services associated with the J. Erik Jonsson Central Library Renovation Project, in the amount of \$42,000, from \$196,000 to \$238,000 - Financing: Capital Construction Funds (\$21,000) and Library Donations (\$21,000)

The city secretary announced that Councilmember Lipscomb had deferred consideration of addendum addition 3 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Councilmember Fielding stated that he had notified the city secretary in writing that he had deferred addendum addition 3 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item.

Councilmember Poss moved to suspend the rules of the city council in order to consider addendum addition 3 and to approve the item.

Motion seconded by Councilmember Stimson.

After discussion Mayor Kirk called the vote on the motion then declared the motion adopted on a divided voice vote.

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**

**Resolution received: January 10, 1997 (4:20pm)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0173

Addendum item 4:J. Erik Jonsson Library

- \* Authorize a contract for construction of the J. Erik Jonsson Central Library First Floor Renovation Project - Precept Builders, Inc. - lowest responsible bidder of six - \$1,308,200 - Financing: Capital Construction Funds (\$654,100) and Library Donations (\$654,100)

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

**The resolution to support this agenda item had not been received in the city secretary's office as of: January 9, 1997 (5:15pm)**

**Resolution received: January 10, 1997 (4:20pm)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0174

Addendum item 5: Adoption of the FY 1996-97 Community Development Block Grant (CDBG) Reprogramming Budget to amend the FY1996-97 Consolidated Plan in the amount of \$1,373,677 to be used for the Second Mortgage First-time Homebuyer Program (Revolving Loan Fund/Mortgage Assistance Program) formerly known as the Dallas Affordable Housing Partnership Program and authorize and amendment to the Enterprise Foundation contract to increase the funding for the Revolving Loan Fund/Mortgage Assistance Program by \$1,373,677 - Financing: 1996-97 Community Development Grant Funds (\$624,610); 1995-96 Community Development Grant Funds (\$471,758); 1994-95 Community Development Grant Funds (\$251,072); 1993-94 Community Development Grant Funds (\$3,438); 1992-93 Community Development Grant Funds (\$21,630); 1991-92 Community Development Grant Funds (\$1,169)

The following individuals addressed the city council regarding the FY 1996-97 Community Development Block Grant Reprogramming Budget:

-- Jeff Bosse, 7008 Quartermile Ln.

Councilmember Stimson moved to approve the reprogramming budget as recommended by the Community Development Commission, but with a change that a portion of the funds that the commission does not want to go back into the revolving loan fund program be put there to bring it up to what the city manager says is necessary to fund all of the back applications, leaving approximately \$320,730 for the commission to put in the reprogramming budget in the fashion that they would normally do.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Luna moved to substitute for Councilmember Stimson's motion a motion to approve the reprogramming budget as recommended by the city manager, except that the \$152,923 to be taken from the Bonnie View storm drainage engineering project be deleted from the budget.

Motion seconded by Councilmember Duncan.

At the conclusion of debate Mayor Kirk called the vote on Councilmember Luna's substitute motion.

Voting Yes: [9] Kirk, Wells, Mayes, Luna, Duncan, Hicks, Poss, Walne, Blumer,  
Voting No: [6] Salazar, Stimson, Mallory Caraway, Lipscomb, Fielding, McDaniel

Mayor Kirk declared the substitute motion adopted.

**The resolution to support this agenda item was amended by the city council at the time it was considered. The amended version of the resolution had not been received in the city secretary's office as of: January 16, 1997 (10:24am)  
Resolution received: January 29, 1997 (10:23am)**



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 8, 1997

97-0154

Item 85: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary distributed a report showing board and commission nominations for the 1995-1997 board term, updated through January 7, 1997.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for some nominees. The city secretary stated that the report should now show that Jack V. Lewis and Rachel Lee McGee, both nominated to serve on the Cultural Affairs Commission, Jay C. English, nominated to serve on the Dallas Citizens Police Review Board, Betty J. Culbreath and Adelfa B. Callejo, both nominated to serve on the Dallas-Fort Worth International Airport Board, John C. Creuzot, nominated to serve on the Judicial Nominating Commission, Howard (Nick) Glazbrook III, nominated to serve on the Landmark Commission, Billie L. Anderson, nominated to serve on the Martin Luther King Jr. Community Center Board, and Mari Latoya Simmons and Amanda M. Mabry, both nominated to serve on the Youth Commission, meet all qualifications for appointment to those boards.

Mayor Pro Tem Wells moved to appoint all of the individuals nominated to serve as members of the Board of Adjustment, the Cultural Affairs Commission, the Dallas Citizens Police Review Board, the Judicial Nominating Commission, the Landmark Commission, the Municipal Library Board, the Martin Luther King Jr. Community Center Board, and the Youth Commission who meet all qualifications for appointment as determined by the city secretary and reported to the city council, all for terms ending August 31, 1997, and to postpone consideration of appointments to the Dallas-Fort Worth International Airport Board until the January 15, 1997 briefing meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Lipscomb absent when vote taken)

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

97-0177	BOA	BOARD OF ADJUSTMENT
97-0178	CAC	CULTURAL AFFAIRS COMMISSION
97-0179	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
97-0180	JNC	JUDICIAL NOMINATING COMMISSION
97-0181	LMC	LANDMARK COMMISSION
97-0182	MLB	MUNICIPAL LIBRARY BOARD
97-0183	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
97-0184	YAC	YOUTH COMMISSION

