

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 26, 1997

97-0600

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 9:23 a.m.

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

The invocation was given by the Rev. Franklin Morris, student, Dallas Theological Seminary .

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

After all business properly brought before the city council had been considered the city council adjourned at 4:49 p.m.

Mayor

ATTEST:

Assistant 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, FEBRUARY 26, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 26, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0601

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: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Claim against the City/Dallas Police Department

SPEAKER: Pearl Tang, 6005 Davenport Rd.
SUBJECT: Taiwan Peace Day

SPEAKER: Graciela Aleman, 2219 Alabama Ave.
SUBJECT: Affordable housing

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Michael Simmons, 8505 C.F. Hawn Frwy.
SUBJECT: Demolition of 2840 Canary Dr.

SPEAKER: Tina Trujillo, 1108 W. Park Dr., Plano
SUBJECT: Injustice

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0602

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of February 12, 1997, were presented for approval.

Councilmember Luna moved to approve the minutes.

Motion seconded by Councilmember Poss and unanimously adopted. (Stimson, Duncan, Hicks absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0603

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-56, 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 33 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.

Mayor Pro Tem Wells moved to approve all items on the consent agenda with the exception of items 33 and 55 which had been deferred until the next voting agenda meeting of the city council at the request of a member of the council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0604

Item 2: Authorize a professional services contract with Halff Associates, Inc. to provide design services for additional surveying at Katy Hike and Bike Trail - \$22,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0605

Item 3: Authorize a contract for the installation of the new fire alarm system at Fair Park Coliseum -
DSS Fire, Inc., second lowest bidder of two - \$60,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0606

Item 4: Authorize a contract for the construction of the Beckley-Saner Recreation Center HVAC replacement - John Cook and Associates, Inc., lowest responsible bidder of five - \$52,822 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0607

Item 5: Authorize a contract for the construction of the Lancaster-Kiest Branch Library HVAC replacement at 3039 S. Lancaster Street - John Cook and Associates, Inc., lowest responsible bidder of five - \$57,060 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0608

Item 6: Authorize a contract for the construction of street, storm drainage, water and wastewater improvements on Bickers Street, Phase II from Westmoreland Road to N. Pointer Street - Ed Bell Construction Company, Inc., - lowest responsible bidder of five - \$849,337 - Financing: 1992 Certificates of Obligation (\$691,677), Water Utilities Capital Construction Funds (\$4,950), Water Utilities Bond Funds (\$152,710)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0609

Item 7: Authorize Supplemental Agreement No. 1 to the contract with Mateo Consulting Engineers, Inc., for the design of an offsite storm sewer extension on Morocco Avenue from Goodman Street to Arcadia Park - \$16,000 - from \$89,644 to \$105,644 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0610

Item 8: Authorize Supplemental Agreement No. 2 to the contract with Jones & Boyd, Inc. for construction administration for the Budd Street area drainage improvements - \$23,000 - from \$176,176 to \$199,176 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0611

Item 9: Authorize Supplemental Agreement No. 2 to the contract with Spiars & DeOtte, Inc. for the design of water and wastewater improvements for the bridge improvements projects on 8th Street at Cedar Creek and 11th Street at Little Cedar Creek - \$49,475 - from \$212,774 to \$262,249 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0612

Item 10: Authorize rejection of bids received for furniture, furnishings and equipment for the J. Erik Jonsson Central Library, located at 1515 Young Street - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0613

Item 11: Street Group 421

- * Authorize street paving, storm drainage, water and wastewater main improvements; provide for 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

February 26, 1997

97-0614

Item 12: Street Group 421

- * 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

February 26, 1997

97-0615

Item 13: Sidewalk Group 9702

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0616

Item 14: Sidewalk Group 9702

- * 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

February 26, 1997

97-0617

Item 15: Fairview Avenue from East Grand Avenue to Lindsley Avenue

- * Authorize street paving, storm drainage, water and wastewater main improvements; provide for 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

February 26, 1997

97-0618

Item 16: Fairview Avenue from East Grand Avenue to Lindsley Avenue

- * 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

February 26, 1997

97-0619

Item 17: Alley East of Strawberry Trail from Silverhill Drive to Tioga Street including section between La Grange Drive and Olney Court and the section between Olney Court and Tioga Street

- * Authorize alley paving and storm drainage improvements; provide for 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

February 26, 1997

97-0620

Item 18: Alley East of Strawberry Trail from Silverhill Drive to Tioga Street including section between La Grange Drive and Olney Court and the section between Olney Court and Tioga 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

February 26, 1997

97-0621

Item 19: Alley between Pentagon Parkway, Wolcott Drive and Talco Drive from Bronx Avenue to Veterans Drive

- * Authorize alley paving, storm drainage, water and wastewater main improvements; provide for 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

February 26, 1997

97-0622

Item 20: Alley between Pentagon Parkway, Wolcott Drive and Talco Drive from Bronx Avenue to Veterans Drive

- * 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

February 26, 1997

97-0623

Item 21: Authorize calling of a benefit assessment hearing to be held on April 9, 1997 for street paving, water and wastewater main improvements on N. Jester Avenue from Davis Street to Overcrest Street - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0624

Item 22: Authorize calling of a benefit assessment hearing to be held on April 9, 1997 for street paving improvements on Crawford Street from Neely Street to Canty Street - Financing:
This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0625

Item 23: 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 the Santa Fe Bridge/Fair Park/Marsalis Hike and Bike Trail - \$24,000 (for design only) - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0626

Item 24: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jaime O. Huesca and Yesenia Sanchez Huesca, of approximately 13,700 square feet of unimproved land, for the widening and improvement of Haskell Avenue, located at the intersection of Haskell and Roseland Avenues - \$200,744 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0627

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Redbird 166 Partners, of approximately 2.669 acres of unimproved land, located near the intersection of Walton Walker Boulevard and Kiest Boulevard, for the Five Mile Creek Greenbelt - \$10,500 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0628

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Debbie Howell, of approximately 16.25 acres of unimproved land located near the intersection of Illinois Avenue and Coombs Creek Drive for the Five Mile Creek Greenbelt - \$65,017 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0629

Item 27: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of three tracts of unimproved land containing approximately 60.4 acres and one tract of land containing approximately 1.6 acres improved with a single family residence, located at the intersection of Scyene Road and Prichard Lane, for park purposes - \$231,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0630

Item 28: Authorize advertisement for the sale of a portion of the Columbia/Abrams open space totaling approximately .32 acre 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

February 26, 1997

97-0631

Item 29: Authorize the 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 including 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

February 26, 1997

97-0632

Item 30: An ordinance abandoning a portion of a drainage easement to Waterford Park Joint Venture, the abutting owner, containing approximately 250 square feet of land, located near the intersection of Helsem Way and Breckenridge Drive, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23035.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0633

Item 31: An ordinance abandoning a portion of Dollar Lane to The Equitable Life Assurance Society of the United States, the abutting owner, containing approximately 19,010 square feet of land, located near the intersection of Coit Road and Forest Lane, and authorizing quitclaim - Revenue: \$129,268 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23036.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0634

Item 32: An ordinance granting a private license to Blumin Kimberly-Partnership, for the use of approximately 4,495 square feet of land, in order to install and maintain landscaping and a wrought iron fence on a portion of Riverfall and Steppington Drive rights-of-way located near their intersection with North Central Expressway - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23207.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0635

Item 33: An ordinance granting a renewal of a private license to Bent Tree Country Club, Inc., for the use of approximately 610 square feet of land, in order to maintain the existing golf cart crossing under Westgrove Drive near its intersection with Club Hill Drive - Revenue: \$350 annually plus the \$20 ordinance publication fee

The city secretary announced that Councilmember Luna had deferred consideration of consent agenda item 33 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

February 26, 1997

97-0636

Item 34: Authorize the second amendment to the lease with Dallas International, Ltd., extending the term to May 26, 1999 for two hundred parking spaces near the intersection of Young Street and Central Boulevard for the continued use by the Police and Fire Departments for vehicle parking - \$3,000 per month, for a total of \$36,000 annually - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0637

Item 35: Authorize conveyance of a wastewater lift station easement containing approximately 25,480 square feet of land and two temporary construction easements containing a total of approximately 28,803 square feet of land, in accordance with a lease and license agreement between the City of Rowlett and the City of Dallas dated May 7, 1973, to the City of Rowlett for the construction of wastewater lines and a wastewater lift station on City-owned land at Lake Ray Hubbard located near Schrade Road at Lake Ray Hubbard
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0638

Item 36: Authorize the sale of a used City surplus police helicopter to the highest bidder of two - Gantt Aviation, Inc. - Revenue: \$226,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0639

Item 37: Authorize a sixty (60) month purchase agreement to be used City-wide for accessories, repair, and parts for two-way radio equipment, multiple award to Motorola Communications & Electronics, Inc. and Hutton Communications, Inc. - lowest responsible bidders of two - Not to exceed \$2,400,000, subject to availability of funding
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0640

Item 38: Authorize a thirty-six month price agreement for security guard services at Morton H. Meyerson Symphony Center with the lowest responsible bidder of two - Pedus Security Services, Inc. - Not to exceed \$1,331,650 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0641

Item 39: Authorize a contract for the replacement of two electrically operated walls at the Dallas Convention Center, Ballroom "A" with the lowest responsible bidder of two - Hudson Building Systems, Inc. - Not to exceed \$176,400 - Financing: 1992 Convention Center Expansion Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0642

Item 40: Authorize a twenty-four month price agreement for grounds maintenance at Water Utilities Pump Stations with the lowest responsible bidders of five - Forest Hills Lawn Service, Reyes Lawn Service, and Sierra Lawn & Landscape - Not to exceed \$150,234 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0643

Item 41: Authorize a twenty-four month price agreement for maintenance and software support for Water Utilities payment processing equipment - Sole source - AT&T Global Information Solutions/NCR - Not to exceed \$90,488 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0644

Item 42: Authorize a twenty-four month multiple award price agreement for pipeline internal joint seals and installation service with the lowest responsible bidders of two - J. Fletcher Creamer & Son, Inc. and Miller Pipeline, Corp. - Not to exceed \$500,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0645

Item 43: Authorize a thirty-six month price agreement for hydrofluosilicic acid (fluoride) with the lowest responsible bidder of three - LCI, LTD. - Not to exceed \$665,340 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0646

Item 44: Authorize settlement of a claim styled Nettie Peyton vs. City of Dallas for bodily injury.
Claim No.: 95-01904 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0647

Item 45: Authorize a public hearing to be held on March 12, 1997, to receive citizen comments concerning a proposed increase in taxicab rates of fare - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0648

Item 46: Authorize a public hearing to be held on Wednesday, March 12, 1997 to receive citizen comments in preparation of the FY 1997-98 Operating, Capital, Grant and Trust budgets
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0649

Item 47: Authorize (i) the Chief Financial Officer to be the designated officer to request, receive and review applications for the depository services and City Treasurer's contracts and (ii) the guidelines for the selection of a depository bank - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0650

Item 48: Authorize the rejection of bids and ratify the re-advertisement of bids for the Phase IV Project-A, removal, installation, and upgrade of City-owned and operated underground fuel storage tanks (USTs) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0651

Item 49: Authorize the rejection of bids and ratify the re-advertisement of bids for the Phase IV Project-B, removal, installation, and upgrade of City-owned and operated underground fuel storage tanks (USTs) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0652

Item 50: Authorize hardship relief to Harris Methodist Health Systems (St. Paul Hospital) for property located at 1931 Chattanooga Place from the moratorium on the Arlington Park area (Resolution No. 970328, adopted by City Council on January 22, 1997) to allow the necessary permits to be issued to convert an existing structure to a cancer research center
- Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0653

Item 51: Authorize an agreement with the Phoenix Project, Inc. to administer the Safe Haven program as part of the City's overall Weed & Seed strategy, a requirement of the Weed & Seed FY96 grant awarded to the City, for the period February 26 through September 30, 1997 - \$40,000 - Financing: U.S. Department of Justice, Executive Office of Weed & Seed Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0654

Item 52: Actions related to May 3, 1997, City election

- * Ordinance ordering a general election to be held in the City of Dallas on Saturday, May 3, 1997, for the purpose of electing 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 for the term beginning June 2, 1997 - Financing: This action has no cost consideration

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23038.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0655

Item 53: Actions related to May 3, 1997, City election

- * Ordinance ordering a special election to be held in the City of Dallas on Saturday, May 3, 1997, for the purpose of submitting to the qualified voters of the City proposed amendments to the Dallas City Charter - Financing: This action has no cost consideration

Councilmember Luna requested that the question be divided so that each proposition can be voted upon separately.

Mayor Pro Tem Wells asked Councilmember Luna if it would be satisfactory to divide the question on the first five propositions separately that deal with policy and then vote on the remaining propositions that are procedural and cleanup in total.

Councilmember Luna accepted Mayor Pro Tem Wells recommendation.

Mayor Kirk ordered the question divided, there being no objection raised to Councilmember Luna's request.

Proposition A

Councilmember Blumer moved to amend the proposition by deleting everything after \$212.20.

Motion seconded by Councilmember Duncan.

Mayor Pro Tem Wells accepted Councilmember Blumer's motion to amend Proposition A.

Mayor Kirk called the vote on Proposition A as amended by Councilmember Blumer:

Voting Yes: [15] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory
Caraway, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel
Voting No: [0]

Mayor Kirk declared the motion adopted.

Proposition B

Councilmember Blumer moved to amend the proposition by placing a limit on those meetings other than regular and called meetings of the council or council committees at three meetings per month. Motion seconded by Councilmember Duncan.

Mayor Pro Tem Wells accepted Councilmember Blumer's motion to amend Proposition B.

Mayor Kirk called the vote on Proposition B as amended by Councilmember Blumer:

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

Voting No: [0]

Mayor Kirk declared the motion adopted.

Proposition C

Councilmember Blumer moved to approve Proposition C.

Motion seconded by Councilmember Duncan.

Mayor Kirk called the vote on Proposition C:

Voting Yes: [8] Salazar, Duncan, Hicks, Mallory Caraway, Lipscomb, Fielding, Blumer,
McDaniel

Voting No: [7] Kirk, Wells, Mayes, Luna, Stimson, Poss, Walne

Mayor Kirk declared the motion adopted.

Proposition D

Councilmember Duncan moved that the transfer of an unencumbered balance could take place with the recommendation of the city manager by a simple majority of the council and that a two-third vote would be needed without the recommendation of the city manager.

Motion seconded by Councilmember Blumer.

Mayor Pro Tem Wells accepted Councilmember Duncan's motion to amend Proposition D.

Mayor Kirk called the vote on Proposition D as amended by Councilmember Duncan:

Voting Yes: [11] Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory Caraway,
Lipscomb, Fielding, Blumer, McDaniel
Voting No: [4] Kirk, Wells, Poss, Walne

Mayor Kirk declared the motion adopted.

Proposition E

Councilmember Stimson moved to strike the first sentence and vote only on the remaining portion starting with "to authorize absences of a city board or commission member to be excused either by the city council or by the board or commission on which the member services; and to make certain substantive changes."

Motion seconded by Councilmember Blumer.

Mayor Pro Tem Wells accepted Councilmember Stimson's motion to amend Proposition E.

Mayor Kirk called the vote on Proposition E as amended by Councilmember Stimson:

Voting Yes: [5] Duncan, Hicks, Lipscomb, Poss, McDaniel
Voting No: [10] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Mallory Caraway, Walne,
Fielding, Blumer

Mayor Kirk declared the motion lost.

Propositions F through N

Mayor Kirk called the vote on Propositions F through N and declared the motion unanimously adopted.

Deputy Mayor Pro Tem Mayes moved to pass the ordinance ordering the charter election with the approved propositions.

Motion seconded by Councilmember Hicks.

After discussion, Mayor Kirk called the vote ordering a special election with the propositions as approved:

Voting Yes: [11] Wells, Mayes, Salazar, Luna, Duncan, Hicks, Mallory Caraway,
Lipscomb, Walne, Fielding, Blumer

Voting No: [4] Kirk, Stimson, Poss, McDaniel

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23039.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0656

Item 54: Actions related to May 3, 1997, City election

- * Resolution authorizing a joint election agreement and election services contract between the City of Dallas, various other jurisdictions within Dallas County, and Dallas County for the conduct of a joint election to be held on Saturday, May 3, 1997, and authorizing extension of the agreement for a runoff election, if necessary, to be held on Saturday, May 31, 1997, not to exceed \$510,084 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0657

Item 55: Actions related to May 3, 1997, City election

- * Resolution approving the appointment of citizens to serve as election judges for the May 3, 1997, joint election and the May 31, 1997, runoff election, if necessary -
Financing: This action has no cost consideration

The city secretary announced that Councilmember Stimson 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

February 26, 1997

97-0658

Item 56: Actions related to May 3, 1997, City election

- * Resolution authorizing the mayor to appoint an ad hoc city council canvassing committee to review the returns of the May 3, 1997, general and special elections and submit a canvass report to the full city council on Wednesday, May 7, 1997 - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0659

Item 57: Public Hearing

A public hearing was called to receive citizen comments on the proposed Dallas City Charter amendments - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the Dallas City Charter amendments:

- Raymond Williams, 1246 Whispering Trl.
- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.
- Marvin Crenshaw, 5134 Oakland Ave.
- Roy Williams, 4881 Prestonview Blvd.
- Sandra Crenshaw, 1431 Quartet Dr.
- Eula Bryant, 2510 South Blvd.

Mayor Pro Tem Wells moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0660

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 58-65 was presented.

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

- Agenda item 58: Zoning Case Z956-325/281-NW(KC)
- ~~Agenda item 59: Zoning Case Z956-328/10181-SW(KC)~~ [Considered individually]
- Agenda item 60: Zoning Case Z967-110/10201-SW(DW)
- Agenda item 61: Zoning Case Z967-144/10228-SW(KC)
- Agenda item 62: Zoning Case Z967-147/10229-NC(RB)
- Agenda item 63: Zoning Case Z967-150/3911-SW(KC)
- ~~Agenda item 64: Zoning Case Z967-152/8790-NE(RB)~~ [Considered individually]
- Agenda item 65: Zoning Case Z967-154/10232-NC(RB)

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

Councilmember Luna 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 Deputy Mayor Pro Tem Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0661

Item 58: Zoning Case Z956-325/281-NW(KC)

Zoning Case Z956-325/281-NW(KC), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an MO-1 Mid-range Office District on the south side of Seale Street, west of Sylvan Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23040.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0662

Item 59: Zoning Case Z956-328/10181-SW(KC)

The consent zoning docket, consisting of agenda items 58 through 65, was presented.

Mayor Kirk requested that consent zoning docket item 59 removed from the consent zoning docket, to be called as an individual hearing.

Later in the meeting consent zoning docket item 59 was brought up for consideration.

A public hearing was called on zoning case Z956-328/10181-SW(KC), an application for and an ordinance granting an IR Industrial Research District on property presently zoned an R-7.5(A) Single Family District on the south side of Davis Street, west of the G.C. & S.F. Railroad, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

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

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

Councilmember Stimson moved to close the public hearing, accept the recommendation of the city plan commission, pass the ordinance and approve the resolution with the change, "that we accept two additional deed restrictions that have been volunteered by the applicant, (1) inoperable and wrecked vehicles, may not be displayed or stored outside and (2) sexually oriented businesses are prohibited on the property."

Motion seconded by Councilmember Blumer and unanimously adopted. (Duncan absent when vote taken)

Assigned ORDINANCE NO. 23041.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0663

Item 60: Zoning Case Z967-110/10201-SW(DW)

Zoning Case Z967-110/10201-SW(DW), an application for and an ordinance granting an RR Regional Retail District with retention of the "D" Dry Overlay District on property presently zoned a CR -D Community Retail-Dry District at the northeast corner of West Davis Street and North Morocco Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23042.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0664

Item 61: Zoning Case Z967-144/10228-SW(KC)

Zoning Case Z967-144/10228-SW(KC), an application for and an ordinance granting a CR Community Retail District on property presently zoned a P(A) Parking District on the north side of Camp Wisdom Road, west of Polk Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23043.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0665

Item 62: Zoning Case Z967-147/10229-NC(RB)

Zoning Case Z967-146/10229-NC(RB), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an MU-1 Mixed Use District located east of Dickerson Road and north of the DART right-of-way.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23044.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0666

Item 63: Zoning Case Z967-150/3911-SW(KC)

Zoning Case Z967-150/3911-SW(KC), an application for and an ordinance granting an IR Industrial Research District on property presently zoned an R-10(A) Single Family District on the northeast side of Red Bird Lane, west of Boulder Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23045.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0667

Item 64: Zoning Case Z967-152/8790-NE(RB)

The consent zoning docket, consisting of agenda items 58 through 65, was presented.

Mayor Kirk requested that consent zoning docket item 64 removed from the consent zoning docket, to be called as an individual hearing.

Later in the meeting consent zoning docket item 64 was brought up for consideration.

A public hearing was called on zoning case Z967-152/8790-NE(RB), an application for and an ordinance granting a Planned Development District for a Public School (Lake Highlands High School) on property presently zoned an R-7.5(A) Single Family District on the north side of Church Road, east of White Rock Trail.

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

Appearing in opposition to the city plan commission recommendation:

- Peggy Hill, 9702 Trailhill Dr.
- Phillip A. Scott, 9308 Trailhill Dr.
- Kent Adams, 10103 Royal Highlands
- Ruth Adams, 10103 Royal Highlands

Appearing in favor to the city plan commission recommendation:

- William Cothrum 500 S. Ervay St., representing Richardson Independent School District
- Dean Vanderbilt, 9533 Rocky Branch Dr.

Councilmember Walne moved to close the public hearing, accept the recommendation of the city plan commission, pass the ordinance, and further requested that the city manager commit to do a traffic count on Faircrest Cr., Trailhill Dr. and Royal Highlands Dr., between Audelia Rd. and White Rock Trail this fall whether its September or October 1997 and subsequently, also do another traffic count in September or October of 1998, so that we can get a count on what kind of impact we are making on traffic in those neighborhoods. Further, if we do have an impact in the area with additional traffic, I expect to have full support of city manager's office in trying to work out some traffic mitigations, be they stop signs or road humps for the area.

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23046.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0668

Item 65: Zoning Case Z967-154/10232-NC(RB)

Zoning Case Z967-154/10232-NC(RB), an application for and an ordinance granting a CS Commercial Service District on property presently zoned a CH Clustered Housing District on the north side of Newt Street, east of Bannister Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23047.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0669

Item 66: Public Hearing - Zoning Case Z956-317/10163-C(AR/DW)

A public hearing was called on zoning case Z956-317/10163-C(AR/DW), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to the granting of a Planned Development District for MU-1 Mixed Use District Uses on property presently zoned a CR Community Retail District and an MF-2(A) Multifamily District on both sides of Hall Street from Central Expressway to Roseland Avenue, and an ordinance implementing the proposal.

(The city plan commission recommended approval of a change of zoning to a Planned Development District for certain MU-1 Mixed Use District Uses, subject to conditions.)

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

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

Motion seconded by Councilmember Blumer and unanimously adopted.

Assigned ORDINANCE NO. 23048.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0670

Item 67: Public Hearing - Zoning Case Z956-309/10159-NW(RB)

A public hearing was called on zoning case Z956-309/10159-NW(RB), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to the granting of a zoning district that would permit certain residential and non residential uses on property presently zoned an MU-3 Mixed Use District and an IR Industrial Research District generally bounded by Record Crossing Road, Lee Hall Street, the CRI & P Railroad, and Stemmons Freeway, and an ordinance implementing the proposal.

(The city plan commission recommended approval of a Planned Development District for Residential and Non-residential Uses, subject to conditions.)

Appearing in opposition to the city plan commission recommendation:

- Daisy Suhkar, 3308 Inwood Rd.
- Samson Suhkar, 3308 Inwood Rd.
- B.J. Malouff, 3747 Princess Ln.
- Angela Romagosa, 7112 Helsem Bend
- Kenneth Douglas, 1642 Chattanooga Pl.
- Lillie Dawkins, 1525 Hollow Oak Dr.
- Alfred Clark, 1520 Briarcliff Rd.
- Mittie Bolson, 1708 Chattanooga Pl.
- Bill Milkie, 716 Bizerte Dr.

Appearing in favor to the city plan commission recommendation:

- Ken Lokey, 4054 McKinney Ave., representing Santa Rosa Development Co.
- Se-gwen, Tyler, 1816 Prairie View Dr.
- Aldophus Sneed, 1513 Record Crossing

Councilmember Mallory Caraway moved to close the public hearing, accept the recommendation of the city plan commission, and pass the ordinance subject to the following revisions to the proposed conditions for the Arlington Park Special Purpose District in Section 4(b)(5)(I), permit multi-family by SUP, in Section 4(b)(6)(I), permit multi-family by SUP, in Section 4(d)(3)(E) permit, the maximum dwelling unit density is 15 units per acre, and Section 4(d)(5)(D), the maximum structure height will be 60 feet.

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

Assigned ORDINANCE NO. 23049.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0671

Item 68: Public Hearing - Zoning Case Z934-140/6159-S

A public hearing was called on zoning case Z934-140/6159-S, an application for an amendment to the existing deed restrictions which limit development to a maximum height of 40 feet to allow a cellular telephone monopole to be 75 feet in height on property presently zoned an RR Regional Retail District at the northeast corner of Ledbetter Drive and Brook Spring Drive.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on March 23, 1994, April 13, 1994, and May 11, 1994, and was taken under advisement indefinitely with the public hearing open.)

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

Councilmember Mallory Caraway moved to close the public hearing and accept the recommendation of the city plan commission.

Motion seconded by Councilmember Salazar and unanimously adopted.

Mayor Kirk asked the assistant city secretary to reflect in the record that he had voted "No" on the motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0672

Item 69: Public Hearing - Zoning Case Z967-127/3734-SW(RB)

A public hearing was called on zoning case Z967-127/3734-SW(RB), an application for and an ordinance granting an amendment to the development plan and conditions for the Tract X portion of Planned Development District No. 88 for an Establishment of a Religious, Charitable or Philanthropic Nature (for a Specialty college campus) to permit a tower/antenna for cellular communication on property located south of Camp Wisdom Road and west of Clark Road.

(The city plan commission recommended approval. This item was considered by the City Council at a public hearing on February 12, 1997, and was taken under advisement until February 26, 1997 with the public hearing open.)

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

Appearing in favor of the the city plan commission recommendation:

- Thomas Workamen, 7500 W. Camp Wisdom Rd., representing Summer Institute of Linguistics

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

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23050.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0673

Item 70: Public Hearing - FLOODPLAIN APPLICATION

A public hearing was called on to receive comments on an application for a fill permit and removal of the flood plain (FP) prefix from 8.3 acres of land currently in the 100-year flood plain of the Elm Fork of the Trinity River. The property is zoned Industrial Research (IR) and is located at 2040 California Crossing. Fill Permit 96-08 - Financing: This action has no cost consideration.

No one addressed the city council regarding the application.

Deputy Mayor Pro Tem Mayes moved to close the public hearing and approve the application.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0674

Item 71: 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 1995-97 board term, updated through February 25, 1997.

...

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

97-0702 HSC HUMAN SERVICES COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0675

Item 72: Authorize approval of the bi-weekly tax action

Councilmember Blumer moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0676

Item 73: Authorize the assignment of the tangible business personal property tax abatement agreement with First Interstate Bank, approved by City Council August 23, 1995, and amended February 28, 1996, to Wells Fargo Company personal property located in Enterprise Zone Number Two at Bonnie View Road and Ledbetter Drive - 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. (Stimson, Duncan, Hicks absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0677

Item 74: Authorize approval of a 100% development fee rebate in an amount not to exceed \$45,840 and a 30% infrastructure cost participation agreement in an amount not to exceed \$5,920 with Centre Development Company, Inc., for property located at 1900 Elm Street, (the former Titcher-Goettinger or Joske's building) in Tier II of the Intown Housing Program's incentive boundaries - Not to exceed \$51,760 - Financing: Public/Private Partnership Fund

Councilmember Luna moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0678

Item 75: Authorize approval of a 100% development fee rebate in an amount not to exceed \$37,250 to Carleton In-Town Housing Partners, Ltd. for property located at 2101 Haskell Avenue, in Tier I of the Intown Housing Program's incentive boundaries - Not to exceed \$37,250 - Financing: Public/Private Partnership Fund

Councilmember Luna moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0679

Item 76: Authorize approval of a 100% development fee rebate in an amount not to exceed \$29,810 and a tax abatement agreement for a 100% abatement of the taxes on the added value of real property for a period of ten years to Tabono Joint Venture for property located at 2929 Park Row Ave., Eban Village, in City of Dallas Enterprise Zone Number One and in Tier I of the Intown Housing Program's incentive boundaries - Not to exceed \$29,810 - Financing: Public/Private Partnership Fund - Revenue: Estimated tax revenue foregone on added value for 10 year abatement \$215,806

Deputy Mayor Pro Tem Mayes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0680

Item 77: Authorize the City Manager to submit an application to HUD to fund infrastructure and housing improvement projects in Neighborhood Renaissance Areas B and D using HUD Section 108 Loan Funds - Financing: Section 108 Funds

Councilmember Duncan moved to authorize the city manager to submit an application to HUD to fund infrastructure projects in Neighborhood Renaissance Areas B and D as amended on the handout given to council. The adjustment column shows changes that have been agreed upon. Also as a part of the motion, there is a stipulation that housing programs would be available throughout both combined areas B and D.

Councilmember Hicks further clarified that a compromise had been reached on the district funding, that the monies would be available on a first come, first serve basis, and that there was an increase to the economic development portion to assist closed businesses around the area of Lancaster Rd., Sunnyvale St., Ledbetter Dr. and Ann Arbor Ave. to provide micro loans and facade easements.

Motion seconded by Councilmember Hicks.

After discussion, Mayor Kirk called the vote on the motion, as amended:

Voting Yes: [15] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory
Caraway, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel
Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0681

Item 78: Authorize a thirty-six month price agreement for street cleaning services with the lowest responsible bidders of five - BFI Services Group, Inc. and Infrastructure Services, Inc. - Not to exceed \$1,353,200 - Financing: Current Funds

Councilmember Luna moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted. (Stimson, Duncan, Hicks absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0682

Item 79: 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

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Lipscomb.

Councilmember Fielding moved to substitute for Councilmember Mallory Caraway's motion a motion to delay consideration of this item until after agenda item 77 has been completed.

Motion seconded by Councilmember Blumer.

Mayor Kirk called the vote on Councilmember Fielding's substitute motion to delay the item:

Voting Yes: [4] Poss, Fielding, Blumer, McDaniel
Voting No: [8] Kirk, Wells, Mayes, Salazar, Luna, Mallory Caraway, Lipscomb, Walne
Absent: [3] Stimson, Duncan, Hicks absent when vote taken

Mayor Kirk declared the motion lost.

Mayor Kirk then called the vote on the original motion:

Voting Yes: [11] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Mallory Caraway,
Lipscomb, Poss, Walne, McDaniel
Voting No: [2] Fielding, Blumer
Absent: [2] Duncan, Hicks absent when vote taken

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0683

Item 80: Consideration of denial of the renewal of the annual taxicab operating authority for Yellow Checker Cab Company of Dallas/Fort Worth, Inc., d/b/a Yellow Cab - Estimated Revenue Loss: \$100,000

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

The following individuals addressed the city council regarding Yellow Checker Cab Company:

- Annaleslie Muncy, 320 Throckmorton St.
- John Barr, 4907 Delouche Ave.
- Ricky Kamins, 1610 S. Ervay St.
- Marvin Crenshaw, 5134 Oakland Ave.

Councilmember Mallory Caraway moved to take the item under advertisement, extend the current operating authority of Yellow Checker Cab Company for 120 days, give the Transportation Committee a chance to review the ordinance and hold a public hearing to solicit public input.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0684

Addendum addition 1: Adoption of the City's Federal Legislative Program (recommended by the Legislative Affairs Committee) - Financing: This action has no cost consideration

Councilmember McDaniel moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0685

Addendum addition 2: Authorize payment of attorneys' fees in a lawsuit styled MD II Entertainment, Inc, d/b/a The Fare West, et al. v. City of Dallas, Civil Action No. 3:93-CV-2093-T - Financing: Current Funds

Deputy Mayor Pro Tem Mayes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0686

Addendum addition 3: Authorize settlement of a lawsuit styled, Letitia Saldana and Josefina Saldana v. Tracy Dawn (Orsak) Jimerson, Gregory Allen Banks, and the City of Dallas, Cause No. 96-06966-I - Financing: Current Funds

Deputy Mayor Pro Tem Mayes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0687

Addendum addition 4: Resolution approving a six percent (6%) merit increase for the City Manager, City Attorney, City Auditor and City Secretary, and authorizing a second amendment to the City Manager's contract incorporating all compensation adjustments approved by the City Council
- Financing: Current Funds

Deputy Mayor Pro Tem Mayes moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0688

Addendum addition 5: Resolution reappointing the City Attorney and the City Secretary for additional two-year terms, and authorizing a Second Amendment to the City Attorney's Contract

Deputy Mayor Pro Tem Mayes moved to approve the resolution.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0689

Addendum addition 6: Authorize the City of Dallas to recognize and declare that the new Dallas-Fort Worth National Cemetery location near the intersection of Kiest Boulevard and Spur 408 is an ideal and appropriate site for a memorial to all veterans of all wars - Financing: No cost consideration to the City

Councilmember Stimson moved to approve the item.

Motion seconded by Mayor Pro Tem Wells and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0690

Addendum addition 7: Authorize an extension of the interim minority and women-owned business enterprises (M/WBE) goals (per Exhibit 1) for a period of not more than 120 days from February 20, 1997 and such as to allow for the adoption of permanent M/WBE goals before the end of the term of the current existing Council - Financing: No cost consideration

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Lipscomb.

Councilmember Lipscomb moved to amend Deputy Mayor Pro Tem Mayes motion to limit the extension up to 70 days.

Deputy Mayor Pro Tem Mayes accepted the amendment as a part of her motion.

Councilmember Luna moved an amendment to extend the interim minority and women-owned business enterprises goals to no later than May 14, 1997.

Deputy Mayor Pro Tem Mayes accepted the amendment as a part of her motion.

Councilmember Lipscomb, who seconded the original motion, also accepted the amendment.

After discussion, Mayor Kirk called the vote on Deputy Mayor Pro Tem Mayes' motion as modified by the amendment.

Mayor Kirk declared the motion as modified by the amendment, unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0691

Addendum addition 8: Authorize an amendment to the annual taxicab operating authority of Terminal Taxi Corporation to increase its authorized fleet by 50 vehicles from 110 to 160 - Revenue: \$12,500 annually

The following individual addressed the city council regarding the Terminal Taxi Corporation:

-- Karl Kuhlman, 6218 Cedar Springs Rd.

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0692

Addendum addition 9: Authorize a residential real property tax abatement agreement with Jefferson at Bryan Place, L.P. for abatement of taxes on the added value to the real property resulting from the construction of a multi-family development in an area of the City of Dallas designated as Enterprise Zone Number Three and Intown Housing Program Tier One and bounded by Liberty, Bryan, Texas and San Jacinto Streets, Dallas, Texas - Financing: No cost consideration to the City - Revenue: First Year Tax Revenue estimated at \$16,752. Ten-year Tax Revenue estimated at \$167,525 (Estimated revenue foregone for 10-year real property abatement \$1,507,725)

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0693

Addendum addition 10: Authorize Supplemental Agreement Number 2 to extend the term of the contracts with the City's five (5) Business Assistance Centers (BACs); Greater Dallas Hispanic Chamber of Commerce, West Dallas Neighborhood Development Corporation, MBA Consultants, Inc., Innerscity Community Development Corporation, and The PAZ Group, for a period of twelve (12) months to continue management of programs designed to provide assistance and linkage of counseling, training, financial and management assistance to business clients within the defined target areas of Southern Dallas and the Enterprise Zones - Financing: 1996-97 Community Development Grant Funds \$250,000

The city secretary announced that Councilmember Stimson had deferred consideration of addendum addition 10 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

February 26, 1997

97-0694

Addendum addition 11: Authorize the Private Sale by quitclaim deed of five properties acquired by the taxing authorities from a Sheriffs Sale to Innercity Community Development Corporation - Revenue: \$21,382

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Stimson.

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

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

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0695

Addendum addition 12: Authorize a sublease agreement with Dallas County Hospital District for approximately 2,700 square feet of medical office space located at 3320 Live Oak Street near its intersection with Hall Street for a five-year term, to be used as a Women, Infants and Children Program clinic - \$3,624 per month, for a total of \$43,488 annually - Financing: Texas Department of Health Grant Funds

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

February 26, 1997

97-0696

Addendum addition 13: Authorize an Interlocal Agreement between the City of Dallas and the Texas Turnpike Authority (TTA) for (1) access to construct screening walls along completed sections of Dallas North Tollway that encroach on City right-of-way from Lovers Lane to Stonegate Road and from Greenbriar Drive to Frederick Square (designated by TTA as wall 8W and 13E); and (2) to accept and implement agreed upon provisions for City participation in maintenance of the screening walls due to graffiti and structural damage on the city side by local traffic - Financing: Current Funds (Estimated \$8,000)

The following individuals addressed the city council regarding the Interlocal Agreement:

- Terry Kearns, 5765 Stonegate Rd.
- Mary Souhan, 5750 Bryn Mawr Dr.,

Councilmember Blumer moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0697

Addendum addition 14: Authorize a public hearing to be held on March 12, 1997 to receive citizen comments regarding an application to close Stevens Crest Drive at Fullerton Drive under provisions of the City's Residential Street Closure Policy - Financing: No cost consideration to the City

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0698

Addendum addition 15: Adoption of an ordinance amending Chapter 40A, "Retirement," of the Dallas City Code to provide for the selection, qualification, and terms of the members of the board of trustees of the Employees' Retirement Fund; to provide for the election of two board members by a majority vote; to allow employee contributions to the Fund to be made on a pre-tax basis if authorized by law; to authorize the board to adjust actuarial assumptions without amending Chapter 40A; to restrict the application of the 1,000 hour rule governing eligibility to retire; to clarify when a retirement pension is "normal" or "early"; to actuarially reduce the joint-and-one-half survivor option; to reduce the maximum automatic annual cost-of-living adjustment to the base pension; and to make certain nonsubstantive changes - Financing: This action has no cost consideration

Mayor Pro Tem Wells moved to pass the ordinance.

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

Assigned ORDINANCE NO. 23051.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0699

Addendum addition 16: Ordinance ordering a special election to be held in the City of Dallas on Saturday, May 3, 1997, for the purpose of submitting to the qualified voters of the City proposed amendments to Chapter 40A, "RETIREMENT," of the Dallas City Code as approved by the City Council on February 26, 1997 - Financing: This action has no cost consideration to the city

Mayor Pro Tem Wells moved to pass the ordinance.

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

Assigned ORDINANCE NO. 23052.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0700

EXECUTIVE SESSION

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

- Debra Walker, et al. V. HUD, et al.
- Downtown Sports Development Project
- Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited and/or Dallas Stars, L.P.
- 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 and/or Dallas Stars, L.P.
- Dallas Employees' Retirement Fund - Texas Pension Review Board's request for reports prepared by the City's actuarial and investment consultants and pending Attorney General requests concerning the reports
- MD II Entertainment, Inc. d/b/a The Fare West, et al. v. City of Dallas, Civil Action No. 3:93-CV-2093-T

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 :

No other matters were discussed during the executive session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 26, 1997

97-0701

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, FEBRUARY 26, 1997

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 26, 1997

97-0600

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

Proposition B

Councilmember Blumer moved to amend the proposition by placing a limit on those meetings other than regular and called meetings of the council or council committees at three meetings per month. Motion seconded by Councilmember Duncan.

Mayor Pro Tem Wells accepted Councilmember Blumer's motion to amend Proposition B.

Mayor Kirk called the vote on Proposition B as amended by Councilmember Blumer:

Voting Yes: [15] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory
Caraway, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel
Voting No: [0]

Mayor Kirk declared the motion adopted.

Proposition C

Councilmember Blumer moved to approve Proposition C.

Motion seconded by Councilmember Duncan.

Mayor Kirk called the vote on Proposition C:

Voting Yes: [8] Salazar, Duncan, Hicks, Mallory Caraway, Lipscomb, Fielding, Blumer,
McDaniel
Voting No: [7] Kirk, Wells, Mayes, Luna, Stimson, Poss, Walne

Mayor Kirk declared the motion adopted.

