

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MARCH 12, 1997

97-0800

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

PRESENT: [12] Kirk, Mayes, Salazar, Stimson, Duncan, Hicks, Mallory Caraway,  
Lipscomb, Poss, Fielding, Blumer, McDaniel

ABSENT: [3] Wells absent on city business; Luna, Walne absent

The meeting was called to order at 9:29 a.m.

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

The invocation was given by the Rev. A. L. Dyson, pastor, Faith Temple Seventh Day Adventist Church.

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 2:55 p.m.

Mayor

ATTEST:

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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, MARCH 12, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MARCH 12, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0801

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: Ted Horvitz, 11629 Audelia Rd.  
SUBJECT: Posting of notices

SPEAKER: Campbell Read, 5939 Monticello Rd.  
SUBJECT: Trinity River

SPEAKER: Roy Williams, 5881 Preston View Blvd.  
REPRESENTING: Forty Acres and a Mule  
SUBJECT: 14-1 and Mayor

SPEAKER: Williams Hopkins, 2011 Leath St.  
SUBJECT: D.I.S.D./K.K.K./Dallas Police Department

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Anna Albers, 201 N. Edgefield Ave.  
SUBJECT: Trinity River

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0802

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of February 26, 1997, were presented for approval.

Deputy Mayor Pro Tem Mayes moved to approve the minutes.

Motion seconded by Councilmember Salazar and unanimously adopted. (Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0803

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-33, was presented for consideration.

Councilmember McDaniel moved to approve all items on the consent agenda.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0804

Item 2: Authorize a professional services contract with Camp Dresser & McKee, Inc. to provide engineering services for collection, reporting and evaluation of water samples at Dallas' three water treatment plants - \$1,188,125 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0805

Item 3: Authorize a contract for electrical renovation of the Tower Building at Fair Park - Village Interiors, Inc., lowest responsible bidder of three - \$279,518 - Financing: 1995 Bond Funds (\$99,518) and State Fair of Texas Capital Construction Funds (\$180,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0806

Item 4: Authorize a contract for recreation center addition/renovation at Exline Park - HCC Contracting, Inc., dba Holzem Companies, lowest responsible bidder of three - \$679,000 - Financing - 1985 Bond Funds (\$344,330), 1995 Bond Funds (\$135,000) and 1994-95 Community Development Grant Funds (\$199,670)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0807

Item 5: Authorize a contract for water and wastewater main replacements in Swiss Avenue, Bryan Street and in alleys between Bentley Avenue and Wilton Avenue; Sunset Street and Tenth Street; Gaston Avenue and Shook Avenue; Abrams Street and Victor Street; Richmond Avenue and Prospect Avenue; Reagan Street and Oaklawn Avenue; Paulus Avenue and Nesbitt Drive - BAR Constructors, Inc., lowest responsible bidder of nine - \$1,029,210 - Financing: Water Utilities Bonds Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0808

Item 6: Authorize a contract for the construction of wastewater mains in Donosky Drive for the West Bank Levee Crossing and in Harry Hines Boulevard for the East Bank Interceptor Phase IIA - Ramex Construction Co., Inc., lowest responsible bidder of seven - \$2,642,786 - Financing: Water Utilities Bond Funds (\$1,777,496) and Water Utilities Capital Construction Funds (\$865,290)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0809

Item 7: Alley Group 1104

- \* 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

March 12, 1997

97-0810

Item 8: Alley Group 1104

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0811

Item 9: Alley Group 1106

- \* Authorize alley paving, storm drainage 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

March 12, 1997

97-0812

Item 10: Alley Group 1106

- \* 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

March 12, 1997

97-0813

Item 11: Morocco Avenue from Davis Street to Goodman Street

- \* Authorize street paving, storm drainage and 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

March 12, 1997

97-0814

Item 12: Morocco Avenue from Davis Street to Goodman Street

- \* Authorize approval of specifications, estimate of cost and authorize advertisement for bids. - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0815

Item 13: Ramona Avenue from Five Mile Drive to Ann Arbor Avenue

- \* Authorize street paving, storm drainage and 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

March 12, 1997

97-0816

Item 14: Ramona Avenue from Five Mile Drive to Ann Arbor Avenue

- \* Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0817

Item 15: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dorothy Jackson Myers and Nations Bank of Texas, N.A., Co-Trustees of the Alma S. Jackson Trust and the Charles H. Jackson Trust; Charles Graham Myers; and Carol Myers Stewart, of approximately 3.1 acres of land for a water easement parallel to Walnut Hill Lane near Goodnight Lane - \$21,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0818

Item 16: Authorize settlement in lieu of proceeding to a jury trial in condemnation for acquisition of a 22,085 square feet of land located near the intersection of Carbon Road and Valley View Lane in Irving, Texas from The Harrington Corporation needed for the D-FW International Airport Expansion project - \$24,400 - 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

March 12, 1997

97-0819

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from CHK Joint Venture, of approximately 4.7 acres of unimproved land, located near the intersection of Cockrell Hill Road and Kiest Boulevard, for the Five Mile Creek Greenbelt - \$48,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0820

Item 18: Authorize acquisition of a wastewater easement from Golden King Properties, containing approximately 3,893 square feet of land, in exchange for the conveyance of a slope easement containing 14,375 square feet of land, located near the intersection of Garland Road and Winsted Road, in conjunction with the White Rock/Dixon Branch Wastewater Relief Interception Project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0821

Item 19: An ordinance abandoning a portion of an alley to North Oak Lawn L.P., the abutting owner, containing approximately 2,266 square feet of land, located near the intersection of Oak Lawn Avenue and Avondale Avenue, authorizing the quitclaim and providing for the dedication of approximately 3,147 square feet of land needed for an alley easement - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23053.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0822

Item 20: An ordinance abandoning a portion of Tenth Street right-of-way to Salesmanship Club of Dallas, The Salesmanship Club of Dallas and the Salesmanship Club Youth and Family Centers, Inc., the abutting owners, containing approximately 24,344 square feet of land, located near the intersection of Tenth Street and Storey Street, and authorizing the quitclaim - Revenue: \$36,212 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23054.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0823

Item 21: An ordinance granting renewal of a revocable license to The Atchison, Topeka and Santa Fe Railway Company, for the use of approximately 1,000 square feet of land in order to maintain an existing railroad crossing in Duncanville Road right-of-way, near its intersection with Ledbetter Drive West - Revenue: \$50 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23055.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0824

Item 22: Authorize the sale by quitclaim deed of 18 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders - Revenue: \$61,493

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0825

Item 23: Authorize a sixty month concession contract for shoe and boot shine services at Dallas Love Field Airport with the highest responsible bidder of three - Dallas Shoe Shop - Revenue: \$246,600 guaranteed or 25.5% of gross (whichever is greater)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0826

Item 24: Authorize a twelve month price agreement for computer paper and forms with the lowest responsible bidders of four - Berndt Business Forms, Inc., OEI Business Forms, Uarco, Inc., and U.S. Forms, Inc. - Not to exceed \$497,050 - Financing: Current Funds (\$431,050), and Water Utilities Current Funds (\$66,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0827

Item 25: Authorize a twenty-four month price agreement for polygraph examinations with the lowest responsible bidder of three - Parker-Jones, Inc. - Not to exceed \$269,400 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0828

Item 26: Authorize settlement of a lawsuit styled Gene Yee v. City of Dallas, Texas, William H. Rathburn, Willard R. Rollins, Marlin Price, Greg Holiday, Pamela Walt, Don Whitten, Granver Tolliver, William A. Carter, Jeffrey F. Cotner, E.J. Brown, Steven Shaw, Kimberly George, Karen L. Perez, Sherry Roberts, Mack Vines, Richard Knight, Jr., and Jan Hart, Cause No. 94-04716-J, in the 191st Judicial District of Dallas County, Texas -  
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0829

Item 27: Authorize settlement of a lawsuit styled Beverly Davis and Frida McKenzie v. City of Dallas, Cause No. 96-01573-C - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0830

Item 28: Authorize settlement of a lawsuit styled Frankie Robertson v. the City of Dallas, Cause No. 94-12986-K - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0831

Item 29: Authorize Contract Renewal No. 2 with The Bethlehem Foundation for a Family management services to the indigent for the period April 1, 1997 through March 31, 1998 - \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0832

Item 30: Authorize the rejection of proposals and the re-advertisement of a Request for Competitive Sealed Proposals (RFCSP) for the procurement, installation, operation, and maintenance of an Interactive Voice Response (IVR) System - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0833

Item 31: Authorize Supplemental Agreement #6 to the Interlocal Agreement between the City of Dallas and the Dallas Housing Authority (DHA) extending the term from March 25, 1997 to March 24,1998 and adding funding for marketing and providing rental bonus payments to property owners leasing three and four bedroom units to participants in the Section 8 Bonus Incentive Program - \$65,100 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0834

Item 32: Authorize a snack vending concession contract with Tom's Foods, Inc. and a drink vending concession contract with Coca-Cola for the twenty-two community swimming pools for three pool seasons beginning March 1, 1997 through September 30, 1999 - Estimated Annual Revenue: \$5,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0835

Item 33: Authorize an agreement with the Texas Department of Transportation (TxDOT) to upgrade traffic signal hardware for 17 traffic signals located in the Pleasant Grove Area using ISTEA funds. The contract will require the City to provide a 20% local match and 1% TxDOT inspection fee for 11 traffic signals not located on the state highway system - \$150,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0836

Item 34: Public Hearing

A public hearing was called to receive citizen comments in preparation of the FY 1997-98 Operating, Capital, Grant and Trust budgets.

The following individuals addressed the city council regarding the FY 1997-98 Operating, Capital, Grant Trust budgets:

- Diana Ramirez, 8403 Ridgelea St.
- John Briscoe, 11327 Lanewood Cr.
- Joe Martin, 3105 Gladiolus Ln.
- Frank Bodzin, 4816 Myerwood Ln.

Councilmember Stimson moved to close the public hearing.

Motion seconded by Councilmember Blumer and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent; Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0837

Item 35: Public Hearing

A public hearing was called to receive citizen comments concerning a proposed increase in taxicab rates of fare - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the taxicab rates of fare:

- Mohammed Malifa, 9827 Brockbank Dr.
- Jeff Finkle, 6218 Cedar Springs Rd.
- Len Limmer, P.O. Box, Fort Worth
- Mark Gilliland, 9885 Abernathy Ave.
- Lester Harper, 1523 Hudspeth Ave.
- Marvin Crenshaw, 5134 S. Oakland Ave.
- Elsie Risby, 2900 Dilido Rd.
- Carolyn Davis, 2611 Burger Ave.

Councilmember Stimson moved to close the public hearing.

Motion seconded by Councilmember Blumer and unanimously adopted. (Kirk, Wells absent on city business; Luna Walne, absent; Lipscomb absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0838

Item 36: Public Hearing

A public hearing was called 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 and a Resolution authorizing the City Manager to work with the applicant to close the street - Financing: No cost consideration to the City

No one addressed the city council regarding the application.

Councilmember Stimson moved to close the public hearing and approve the resolution.

Motion seconded by Councilmember Blumer and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent; Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0839

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 37-42 was presented.

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

<del>Agenda item 37: Zoning Case Z967-145/6336-SE(KC)</del>	[Considered individually]
<del>Agenda item 38: Zoning Case Z967-151/10231-NC(RB)</del>	[Considered individually]
Agenda item 39: Zoning Case Z967-155/9271-NC(RB)	
<del>Agenda item 40: Zoning Case Z967-156/380-C(RB)</del>	[Considered individually]
Agenda item 41: Zoning Case Z967-124/10207-SW(MV)	
Agenda item 42: Zoning Case Z967-118/10206-SW(KC)	

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

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

- Jon Radke, 705 N. Marsalis Ave., regarding Zoning Case Z967-124/10207-SW(MV)
- Marsha Loeppke, 4200 Horizon N. Pkwy., regarding Zoning Case Z967-124/10207-SW(MV)
- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z967-124/10207-SW(MV)
- Barry Knight, 5400 Renaissance Tower, regarding Zoning Case Z967-124/10207-SW(MV)
- Gene Crockett, 1200 Moss Wood Ln., regarding Zoning Case Z967-124/10207-SW(MV)

Councilmember Salazar 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. (Kirk, Wells absent on city business; Luna, Walne absent; Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0840

Item 37: Zoning Case Z967-145/6336-SE(KC)

The consent zoning docket, consisting of agenda items 37 through 42, was presented.

During discussion of the consent zoning docket several citizens indicated an interest in consent zoning docket item 37, Zoning Case Z967-145/6336-SE(KC).

Deputy Mayor Pro Tem Mayes requested that consent zoning docket item 37 be removed from the consent zoning docket, to be called as an individual hearing. Deputy Mayor Pro Tem Mayes stated that consent zoning docket item 37 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to her request.

Later in the meeting consent zoning docket item 37 was brought up for consideration.

A public hearing was called on consent zoning docket item 37, Zoning Case Z967-145/6336-SE(KC), an application for and an ordinance granting a Specific Use Permit for a Metal Salvage Facility, Outside Salvage or Reclamation, and an Industrial (Inside) Potentially Incompatible Use for an Aluminum Sweat Furnace on property presently zoned an IM Industrial Manufacturing District located southwest of Lamar Street at its intersection with Hatcher Street.

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

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

- Carolyn Davis, 2611 Burger Ave.

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

- Robert Goldberg, 7606 Azalea Ln., the applicant
- Barry Knight, 5400 Renaissance Tower, representing the applicant, Robert Goldberg.

Councilmember Duncan moved to close the public hearing, reject the recommendation of the city plan commission and deny the application without prejudice.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Stimson moved to substitute for Councilmember Duncan's motion a motion to postpone consideration of the application until the March 26, 1997 meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Poss and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0841

Item 38: Zoning Case Z967-151/10231-NC(RB)

The consent zoning docket, consisting of agenda item 37-42, was presented.

Councilmember Poss requested that consent zoning docket item 38 removed from the consent zoning docket, to be called as an individual hearing. Deputy Mayor Pro Tem Mayes stated that consent zoning docket item 38 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to Councilmember Poss' request.

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

A public hearing was called on zoning case Z967-151/10231-NC(RB), an application for and an ordinance granting a Specific Use Permit for a Private School (Fairhill School) on property presently zoned an R-16(A) Single Family District and an NO(A) Neighborhood Office District on the east side of Preston Road, southeast of the St. Louis and Southwestern Railroad.

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

Appearing regarding the application:

- Milton Powell, 5207 McKinney Ave., representing the applicant, Fairhill School, Inc. Mr. Powell asked the city council to consider sending the application back to the city plan commission in order that the applicant could change the request from a specific use permit to a planned development district.

Councilmember Poss moved to refer the application back to the city plan commission in order that the applicant could change the request to a planned development district, and to request that the city plan commission make its recommendation to the city council no later than April 9, 1997., postpone consideration of the application until the April 9, 1997 voting agenda meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0842

Item 39: Zoning Case Z967-155/9271-NC(RB)

Zoning Case Z967-155/9271-NC(RB), an application for and an ordinance granting a Specific Use Permit for a Private Recreation Center, Club or Area on property presently zoned an R-5(A) Single Family District at the west corner of Osage Plaza Parkway and Maribeth Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23056.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0843

Item 40: Zoning Case Z967-156/380-C(RB)

The consent zoning docket, consisting of agenda item 37-42, was presented.

Councilmember McDaniel requested that consent zoning docket item 40 removed from the consent zoning docket, to be called as an individual hearing. Deputy Mayor Pro Tem Mayes stated that consent zoning docket item 40 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to Councilmember McDaniel 's request.

Later in the meeting consent zoning docket item 40 was brought up for consideration.

A public hearing was called on zoning case Z967-156/380-C(RB), an application for an amendment to the site plan and conditions for Planned Development District No. 168 for Medical and Office Uses to permit the additional uses of a convalescent and nursing home, hospice care, and related institutions, and further to convert the existing Planned Development District from Chapter 51 to Chapter 51 A in the Dallas Development Code on property on the northwest side of Ross Avenue between Bennett Avenue and Garrett Avenue.

(The city plan commission recommended approval.)

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

Councilmember Blumer moved to postpone consideration of the application until the April 9, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Poss and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0844

Item 41: Zoning Case Z967-124/10207-SW(MV)

Zoning Case Z967-124/10207-SW(MV), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to the granting of a Planned Development District for Mixed Residential, Retail, Office and Light Industrial Uses with urban design guidelines, and further to consider the granting of an expansion of Planned Development District No. 364 for a Dairy on an area generally bounded by Interstate 30, Interstate 35, Eighth Street and the Methodist Medical Center Complex, and an ordinance implementing the proposed Planned Development District and an ordinance granting an expansion of Planned Development District No. 364.

(The city plan commission recommended approval of the proposed Planned Development District, subject to conditions, and approval of the expansion of Planned Development District No. 364, subject to a new development/landscape plan.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23057 and ORDINANCE NO. 23058.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0845

Item 42: Zoning Case Z967-118/10206-SW(KC)

Zoning Case Z967-118/10206-SW(KC), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned a CR-D Community Retail-Dry District on the east side of Hampton Road, north of Burlington Boulevard

(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. 23059.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0846

Item 43: Public Hearing - DEVELOPMENT CODE AMENDMENTS

A public hearing was called to receive comments on consideration of an amendment to the Dallas Development Code pertaining to the relocation of existing nonconforming signs located within a railroad right-of-way or on property owned by Dallas Area Rapid Transit.

(The city plan commission recommended denial.)

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

Councilmember Poss moved to postpone consideration of the amendment until the March 26, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0847

Item 44: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called to receive citizen comments on authorize an amendment to the Thoroughfare Plan to delete Merrifield Road from Mountain Creek Parkway to Kiest Boulevard and an unnamed street from Mountain Creek Parkway to Merrifield Road and an ordinance implementing the amendment - Financing: No cost consideration to the City.

No one addressed the city council regarding the amendment.

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

Assigned ORDINANCE NO. 23060.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0848

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Alley parallel to Homeway Circle from Homeway Circle to John West Road

- Item 45: \* Benefit assessment hearing for alley paving, storm drainage and wastewater main improvements for the above listed alley.
- Item 46: \* Ordinance levying benefit assessments for alley paving, storm drainage and wastewater main improvements for the above listed alley.
- Item 47: \* Authorize a contract for construction of alley paving, storm drainage and wastewater main improvements for the above listed alley - Camino Construction, Inc. - lowest responsible bidder of four - \$174,499 - Financing: 1995 Bond Funds (\$131,367), Water Utilities Capital Construction Funds (\$23,560), Water Utilities Bond Funds (\$19,572)

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving, storm drainage and wastewater main improvements for Alley parallel to Homeway Circle from Homeway Circle to John West Road.

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

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

Motion seconded by Councilmember Salazar and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

Assigned ORDINANCE NO. 23061.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0849

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Lomo Alto Drive from Greenbrier Drive to Colgate Avenue

- Item 48: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the above listed street.
- Item 49: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed street.
- Item 50: \* Authorize a contract for construction of street paving, storm drainage, water and wastewater main improvements for above listed street - East Texas Construction - lowest responsible bidder of eleven - \$510,534 - Financing: 1995 Bond Funds (\$430,172) Water Utilities Bond Funds (\$32,649) Water Utilities Capital Construction Funds (\$47,713)

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 Pemberton Hill Area.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

Assigned ORDINANCE NO. 23062.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0850

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Pemberton Hill Area

Ezekial Avenue from Elam Road to Jeane Street

Lucy Street from Ezekial Avenue to Elwayne Avenue

Jonelle Avenue from Elam Road to Jeane Street

- Item 51: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the above listed streets.
- Item 52: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed streets - Financing: No cost consideration to the City

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 the Pemberton Hill Area.

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

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

Motion seconded by Councilmember Hicks and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

Assigned ORDINANCE NO. 23063.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0851

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Weisenberger Drive from Leath Street North to Dead End

- Item 53: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the above listed street.
- Item 54: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed street - Financing: No cost consideration to the City

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 Weisenberger Drive from Leath Street North to Dead End.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk, Wells absent on city business; Luna, Walne absent)

Assigned ORDINANCE NO. 23064.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0852

Item 55: 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 commissions nominations for the 1997-97 board term, updated through March 11, 1997.

The city secretary noted that the report incorrectly indicated that Anna M. Albers had been renominated for an additional term on the Environmental Health Commission by Councilmember Duncan. She had actually been renominated by Councilmember Salazar.

...

Councilmember Hicks moved to appoint James Richard Conner to serve as a member of the Cultural Affairs Commission and Jennifer Marie Rodriguez to serve as a member of the Youth Commission, both for terms ending August 31, 1997.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Councilmember Stimson moved to appoint Michael W. Harling to serve as a member of the Housing Finance Corporation Board for a term ending August 31, 1997.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Councilmember Salazar moved to reappoint Anna M. Albers to serve as a member of the Environmental Health Commission for a term ending August 31, 1997.

Motion seconded by Councilmember Lipscomb and adopted on a divided voice vote. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)



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

97-0869	CAC	CULTURAL AFFAIRS COMMISSION
97-0870	EHC	ENVIRONMENTAL HEALTH COMMISSION
97-0871	HFC	HOUSING FINANCE CORPORATION BOARD
97-0872	YAC	YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0853

Item 56: Authorize approval of the bi-weekly tax action

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0854

Item 57: A resolution authorizing an amendment to the policy statement and procedure guidelines for the City-Sponsorship of Special Events Program (Business and Commerce Committee)

Councilmember Stimson moved to approve the resolution.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0855

Item 58: Ordinance authorizing 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 [Z967-101/9659-SW(RB)] - Financing: No cost consideration to the City

Councilmember Lipscomb moved to pass the ordinance.

Motion seconded by Councilmember Salazar and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Later in the meeting Councilmember Hicks moved to reconsider the previous vote on Councilmember Lipscomb's motion concerning the approval of an ordinance authorizing a Specific Use Permit for a Child-care facility on property on the east side of Greenspan Avenue, north of Camp Wisdom Road. Councilmember Hicks stated that he had voted with the prevailing side when the vote was taken.

Motion seconded by Councilmember Lipscomb.

Mayor Kirk called the vote on Councilmember Hicks' motion to reconsider Councilmember Lipscomb's motion, and declared the motion to reconsider unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Mayor Kirk stated that Councilmember Lipscomb's motion was before the council for reconsideration.

Councilmember Hicks moved to amend the ordinance so as to incorporate conditions providing for a two-year time limit, restricting enrollment to 20 children, and limiting the hours of operation to the hours between 5:30 a.m. and 6:45 p.m. Monday through Friday, and that it comply with the site plan attached to the ordinance, and to approve the ordinance with those changes.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Assigned ORDINANCE NO. 23065.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0856

Item 59: 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

Councilmember Fielding moved to pass the ordinance.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Assigned ORDINANCE NO. 23066.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0857

Item 60: 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

Councilmember Stimson moved to approve the resolution as modified to substitute for the list of election judges provided by the Dallas County elections administrator (Attachment 'A'), which is a list of the Republican Party precinct chairs in most City of Dallas precincts, with the list previously distributed to the members of the city council and identified as "REPLACEMENT ATTACHMENT 'A' - ELECTION JUDGES APPOINTED BY PRECINCT RESULT OF NOVEMBER 1996 SENATORIAL RACE," and to notify the Dallas County elections administrator that the City of Dallas requests that the individuals listed in "REPLACEMENT ATTACHMENT 'A'" be appointed to serve as precinct election judges in City of Dallas precincts in the May 3, 1997, joint election and the May 31, 1997, runoff election, if necessary.

Motion seconded by Councilmember Duncan.

Councilmember Salazar asked Councilmember Stimson if he would accept a friendly amendment to his motion to provide that the individuals named on "Attachment 'B'" forms filed with the city secretary be substituted for the individuals named on "REPLACEMENT ATTACHMENT 'A'" in Precincts 3353, 3471, 4411, 4427, 4429, 4431, 4432, 4435 and 4511.

Councilmember Stimson accepted the amendment as a part of his motion.  
Councilmember Duncan, who seconded the original motion, also accepted the amendment.

Councilmember Lipscomb asked Councilmember Stimson if he would accept a friendly amendment to his motion to provide that the individuals named on "Attachment 'B'" forms filed with the city secretary be substituted for the individuals named on "REPLACEMENT ATTACHMENT 'A'" in Precincts 3329, 3421, 3559.

Councilmember Stimson accepted the amendment as a part of his motion.  
Councilmember Duncan, who seconded the original motion, also accepted the amendment.

Councilmember Duncan asked Councilmember Stimson if he would accept a friendly amendment to his motion to provide that the individual named on "Attachment 'B'" forms filed with the city secretary be substituted for the individual named on "REPLACEMENT ATTACHMENT 'A'" in Precinct 3410.

Councilmember Stimson accepted the amendment as a part of his motion.  
Councilmember Duncan, who seconded the original motion, also accepted the amendment.

Councilmember Mallory Caraway asked Councilmember Stimson if he would accept a friendly amendment to his motion to provide that the individual named on "Attachment 'B'" forms filed with the city secretary be substituted for the individual named on "REPLACEMENT ATTACHMENT 'A'" in Precinct 3334.

Councilmember Stimson accepted the amendment as a part of his motion.  
Councilmember Duncan, who seconded the original motion, also accepted the amendment.

Mayor Kirk then called the vote on Councilmember Stimson's motion as modified by the friendly amendments and declared the motion adopted on a divided voice vote. (Luna, Walne absent; Wells, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0858

Item 61: Authorize five (5) separate supplemental agreements to extend the terms for one year and provide additional funds to continue the professional services contracts with: Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$50,000, West Dallas Neighborhood Development Corporation in an amount not to exceed \$50,000, MBA Consultants, Inc., in an amount not to exceed \$50,000, Innerscity Community Development Corporation, in an amount not to exceed \$50,000, and The PAZ Group, in an amount not to exceed \$50,000 to continue operation of the five Business Assistance Centers and 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 in an amount not to exceed \$250,000 - Financing: 1996-97 Community Development Grant Funds

The following individuals addressed the city council regarding the supplemental agreements:

- Sandra Robinson, 2503 Martin Luther King Blvd., representing Innerscity Community Development Corp.
- Linda Jordan, 2503 Martin Luther King Blvd., representing Innerscity Community Development Corp.
- Tracy Arnold, 2503 Martin Luther King Blvd., representing Innerscity Community Development Corp.
- Cheryl Bugg, 2907 N. Hampton Rd.
- Antonio Torres, 2243 Dallas Dr.
- Bud Harp, 437 W. 12th St.
- Pedro Villa, 2217 Rockwood Dr., Carrollton

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Salazar.

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

Voting Yes: [11] Kirk, Salazar, Stimson, Duncan, Hicks, Mallory Caraway, Lipscomb, Poss, Fielding, Blumer, McDaniel  
Voting No: [0]  
Absent: [4] Wells, Mayes absent on city business; Luna, Walne absent

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL



March 12, 1997

97-0859

Addendum addition 1: Authorize one or more supersedeas bonds to stay enforcement of attorneys' fees and expense orders in Debra Walker, et al. v. U.S. Department of HUD, et al., Civil Action No. 3:85-CV-1210-R -  
Financing: Current Funds

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Wells, Mayes absent on city business; Luna, Walne absent)

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0860

Addendum addition 2: Authorize public hearings to be held before the City Plan Commission on March 20, 1997, and before the City Council on March 26, 1997, and April 9, 1997, to consider proposed amendments to Chapters 14 and 41A of the Dallas City Code. The amendments would revise definitions of adult cabaret, nudity and specified anatomical areas. The definitions of semi-nudity and simulated nudity would be eliminated. The amendments also include the additions of an amortization clause to the locational restrictions provisions, signage regulations for all sexually oriented businesses, a no touching provision for adult cabarets and nude modeling studios, and other possible amendments - Financing: No cost consideration to the City

The city secretary stated that Councilmember Lipscomb had requested that consideration of addendum addition 2 be deferred until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure and that the notice of deferred items had been posted with the item listed as deferred. The city secretary stated that it had been brought to his attention that the item was briefed to the city council on November 6, 1996, and therefore could not be deferred under Subsection 7.11 of the Rules of Procedure.

Councilmember Duncan moved to approve addendum addition 2.

Motion seconded by Councilmember Blumer.

Councilmember Lipscomb moved to postpone consideration of addendum addition 2 until after the city council had been briefed on the effects of a map being created by the planning department concerning the proposed amendments.

Motion seconded by Councilmember Hicks

Councilmember Stimson moved to amend Councilmember Duncan's motion to instruct the city plan commission to postpone any vote on the issue until all information relating to the impact of the proposed amendments had been pulled together by the city staff and made available to the commission, including a final map of impacted areas and an update of the report showing the potential impact of sexually oriented businesses on the areas around them.

Motion seconded by Councilmember Lipscomb.

At the conclusion of debate Mayor Kirk called the vote on Councilmember Lipscomb's motion to postpone consideration of the item.

Voting Yes: [9] Kirk, Salazar, Stimson, Duncan, Mallory Caraway, Poss, Fielding,  
Blumer, McDaniel  
Voting No: [2] Hicks, Lipscomb  
Absent: [4] Luna, Walne absent; Wells, Mayes absent on city business

Mayor Kirk declared the motion to postpone lost.

Mayor Kirk then called the vote on Councilmember Stimson's motion to amend Councilmember Duncan's motion.

Voting Yes: [6] Salazar, Stimson, Hicks, Mallory Caraway, Lipscomb, Poss  
Voting No: [6] Kirk, Mayes, Duncan, Fielding, Blumer, McDaniel  
Absent: [3] Luna, Walne absent; Wells, absent on city business

Mayor Kirk declared the amendment lost on a tie vote.

Mayor Kirk then called the vote on Councilmember Duncan's motion and declared the motion adopted on a divided voice vote. (Luna, Walne absent; Wells, absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0861

Addendum addition 3: A resolution establishing the communications policy to be followed between the City and TCI Cablevision of Dallas, Inc. while the annual cable rate adjustment filing is pending - Financing: No cost consideration to the City

Councilmember McDaniel moved to approve the resolution.

Motion seconded by Councilmember Salazar and unanimously adopted. (Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0862

Addendum addition 4: Authorize the City Manager to submit an application to HUD to Fund infrastructure projects, housing improvements and economic development activities in Neighborhood Renaissance Areas A, C and E using HUD Section 108 Loan Funds - Not to exceed \$14,202,500 - Financing: Section 108 Funds

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0863

Addendum addition 5: Authorize public hearings to be held on March 26, 1997 and April 9, 1997 to receive citizen comments on the renewal of the Dallas Teen Curfew Ordinance - Financing: No cost consideration to the City

Councilmember Lipscomb moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0864

Addendum addition 6: Authorize adoption of the Wastewater and Residuals Master Plans developed by CH2M Hill, Inc. - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Salazar.

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

Mayor Kirk declared the motion adopted on a divided voice vote. (Wells absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0865

Addendum addition 7: 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 Current Funds

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Wells absent on city business; Luna, Walne absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0866

Addendum addition 8: Resolution opposing the sale or transfer of the Baylor Health Care System and the diversion of assets of the Baylor Health Care System away from the network of health care facilities in the Dallas County area (Councilmember Luna via Mayor Kirk)

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Deputy Mayor Pro Tem Mayes.

Mayor Kirk declared the motion adopted on a divided voice vote. (Wells, Mayes absent on city business; Luna, Walne absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0867

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

Deliberations 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.
- Kirks, et al. v. City of Dallas, et al. Appeal No. 95-10360 (Whistleblower lawsuit)

The posted executive session was not held.

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0868

### 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, MARCH 12, 1997

EXHIBIT C



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

97-0852

Item 55: 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 commissions nominations for the 1997-97 board term, updated through March 11, 1997.

The city secretary noted that the report incorrectly indicated that Anna M. Albers had been renominated for an additional term on the Environmental Health Commission by Councilmember Duncan. She had actually been renominated by Councilmember Salazar.

...

Councilmember Hicks moved to appoint James Richard Conner to serve as a member of the Cultural Affairs Commission and Jennifer Marie Rodriguez to serve as a member of the Youth Commission, both for terms ending August 31, 1997.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Councilmember Stimson moved to appoint Michael W. Harling to serve as a member of the Housing Finance Corporation Board for a term ending August 31, 1997.

Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Councilmember Salazar moved to reappoint Anna M. Albers to serve as a member of the Environmental Health Commission for a term ending August 31, 1997.

Motion seconded by Councilmember Lipscomb and adopted on a divided voice vote. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

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

97-0869 CAC	CULTURAL AFFAIRS COMMISSION
97-0870 EHC	ENVIRONMENTAL HEALTH COMMISSION
97-0871 HFC	HOUSING FINANCE CORPORATION BOARD
97-0872 YAC	YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

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Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

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Motion seconded by Councilmember Lipscomb and adopted on a divided voice vote. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

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Motion seconded by Councilmember Blumer and unanimously adopted. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

Councilmember Salazar moved to reappoint Anna M. Albers to serve as a member of the Environmental Health Commission for a term ending August 31, 1997.

Motion seconded by Councilmember Lipscomb and adopted on a divided voice vote. (Wells absent on city business; Luna, Walne absent; Mayes absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

March 12, 1997

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97-0869 CAC	CULTURAL AFFAIRS COMMISSION
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