

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 1997

97-1470

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

PRESENT: [13] Kirk, Wells, Mayes, Luna, Stimson, Duncan, Hicks, Mallory Caraway,
Lipscomb, Poss, Walne, Blumer, McDaniel
ABSENT: [1] Salazar
VACANT: [1]Place 11

The meeting was called to order at 9:10 a.m.

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

The invocation was given by Father Fred Caldwell, pastor, Saint Cecelia Catholic 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 4:10 p.m.

Mayor

ATTEST:

City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL

WEDNESDAY, MAY 14, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1471

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: Roy Williams, 5881 Preston View Blvd.
SUBJECT: 14-1 vs. Mayor

SPEAKER: Robert Stubblefield, 553 Woodmont Dr.
SUBJECT: Illegal dumping

SPEAKER: Harold Cox, 7415 Ridgewick Dr.
SUBJECT: Illegal dumping

SPEAKER: Louis C. Jones, 14827 Preston Rd.
SUBJECT: Community unrest

SPEAKER: Dwayne Dallas, 6266 St. Albans Dr.
SUBJECT: Dallas city government

OPEN MICROPHONE - END OF MEETING:

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

SPEAKER: Linda Hack, 3401 Main St.
SUBJECT: Slumlords - Deep Ellum

SPEAKER: William Hopkins, 3401 Main St.
SUBJECT: D.I.S.D./KKK/Media

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Judge Stokes

SPEAKER: Byron Dupree, 4226 Copeland St.
SUBJECT: Fool proof method to stop drugs in the community

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1472

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of April 9, 1997, the briefing meeting of April 16, 1997 and the briefing meeting of May 7, 1997 were presented for approval.

Deputy Mayor Pro Tem Mayes moved to approve the minutes.

Motion seconded by Councilmember Luna and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1473

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-97, 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 68, 85 and 128 had been deferred until the next voting agenda meeting of the city council and notice that the items had been deferred had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that notice had been given in an addendum to the agenda that consent agenda items 80 had been deleted from the agenda and the addendum to the agenda had been posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code.

Councilmember Mallory Caraway requested that consent agenda item 24 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Mallory Caraway's request.

Deputy Mayor Pro Tem Mayes requested that consent agenda item 71 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 71 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Mayes' request.

Mayor Pro Tem Wells requested that consent agenda item 92 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 92 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Wells' request.

Councilmember Luna moved to approve all items on the consent agenda with the exception of items 68, 85 and 128 which had been deferred until the next voting agenda meeting of the city council at the request of members of the council, item 80 which had been deleted on the addendum to the agenda, and items 24, 71 and 92 which would be considered later in the meeting as individual items.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1474

Item 2: Authorize a professional services contract with Armstrong Berger, Inc. for the design of exterior graphics for a city-wide park signage program - \$40,591 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1475

Item 3: Authorize a professional services contract with F&S Partners, Inc. to provide design services for a new recreation center at Park in the Woods - \$135,800 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1476

Item 4: Authorize thirteen professional services contracts with twelve architectural and engineering firms for the FY 1996-97 Major Maintenance Program and other Capital Improvement Projects - \$691,112 - Financing: Current Funds (\$73,750), 1985 Bond Funds (\$134,425), 1995 Bond Funds (\$109,660), 1996-97 Community Development Grant Funds (\$24,000), Capital Construction Funds (\$349,277)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1477

Item 5: Authorize a contract for the removal, installation, and upgrade of City-owned and operated underground fuel storage tanks (USTs) for Phase IV Project A - A-Tech Environmental Systems, Inc. - lowest responsible bidder of two - \$754,338 - Financing: 1985 Bond Funds (\$609,788) and Aviation Current Funds (\$144,550), (\$53,000 to be reimbursed by the state Petroleum Storage Tank Reimbursement Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1478

Item 6: Authorize a contract for construction of the Fire Maintenance Building Expansion located at 5000 Dolphin Road - HCI General Contractors, lowest responsible bidder of five - \$2,161,550 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1479

Item 7: Authorize a contract for the construction of erosion control improvements on Caruth Creek at 6117 and 6143 Summer Creek Circle - Craig Olden, Inc., lowest responsible bidder of two - \$74,805 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1480

Item 8: Authorize a contract for the construction of City Hall Building and Parking Garage floor expansion joint repairs - Remedial Testing and Consulting, Inc., lowest responsible bidder of three - \$153,483 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1481

Item 9: Authorize a contract for the construction of street paving, water and wastewater main improvements on North Jester Avenue from Davis Street to Overcrest Street - Roadway Engineering and Construction, Inc., lowest responsible bidder of ten - \$186,369 - Financing: 1995 Bond Funds (\$151,425), Water Utilities Capital Construction Funds (\$3,950), Water Utilities Bond Funds (\$30,994)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1482

Item 10: Authorize a contract for the construction of alley paving, storm drainage, water and wastewater main improvements on Alley Group 1107 (list attached) - Omega Contracting, Inc., lowest responsible bidder of six - \$453,660 - Financing: 1995 Bond Funds (\$168,553), Water Utilities Capital Construction Funds (\$285,107)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1483

Item 11: Authorize a contract for Asphaltic Concrete Street Resurfacing Group 1 on various improved streets - Austin Bridge and Road, Inc., lowest responsible bidder of three - \$3,490,310 - Financing: 1995 Bond Funds (\$2,062,760), Current Funds (\$1,351,150), Water Utilities Capital Construction Funds (\$34,050), Wastewater Utilities Capital Construction Funds (\$42,350)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1484

Item 12: Authorize a contract for Asphaltic Concrete Street Resurfacing Group 2 on various improved streets - APAC-Texas Inc., lowest responsible bidder of three - \$2,772,556 - Financing: 1995 Bond Funds (\$1,586,300), Current Funds (\$1,106,531), Water Utilities Capital Construction Funds (\$36,660), Wastewater Utilities Capital Construction Funds (\$43,065)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1485

Item 13: Authorize a contract for the construction of new water mains in Dennison Street, Fish Trap Road and Goldman Street - Omega Contracting, Inc., lowest responsible bidder of nine - \$75,520 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1486

Item 14: Authorize a contract for the rehabilitation of wastewater mains and replacement of water and wastewater mains in the areas of Fair Park; Central Expressway and Fitzhugh Avenue; Dallas North Tollway and Lovers Lane; and Oak Cliff Boulevard south of Jefferson Boulevard - Omega Contracting, Inc., lowest responsible bidder of five - \$1,270,631 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1487

Item 15: Authorize a contract for the replacement of water and wastewater mains in Altacrest Drive, Earlcove Drive, Groveridge Drive, Sarah Lane, Craige Drive, Bowman Boulevard, Ravenwood Drive, Gardenview Drive, Bergstrom Street, Comer Drive, and Checota Drive - J.C. Evans Construction Co., Inc., lowest responsible bidder of eight - \$1,581,681 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1488

Item 16: Authorize an increase in the contract with Pittman Construction, Inc. for installation of twelve light fixtures, poles and bases, and the deletion of three benches with concrete pads at Craddock Park - \$56,850, from \$231,492 to \$288,342 - Financing: Craddock Park Trust Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1489

Item 17: Authorize an increase in the contract with L.E. Briscoe Construction Corporation for renovation of the Food and Fiber Building at Fair Park - \$172,811, from \$850,000 to \$1,022,811 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1490

Item 18: Authorize an increase in the contract with Metalman, Inc., for construction of a Chimpanzee Exhibit at the Dallas Zoo - \$47,438, from \$1,469,886 to \$1,517,324 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1491

Item 19: Authorize an increase in the contract with Riverway Contractors and Management, Inc. for construction modifications at the new Bachman Service Center - \$37,386, from \$349,840 to \$387,226 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1492

Item 20: Authorize Supplemental Agreement No. 2 to the contract with Brown Reynolds Watford Architects to provide site surveying and engineering at the Dallas Nature Center - \$15,600, from \$37,050 to \$52,650 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1493

Item 21: Authorize an agreement with the Texas Department of Transportation for construction of a roadway illumination system on US Highway 67 from Interstate 20 to Interstate 35E - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1494

Item 22: Authorize calling of a benefit assessment hearing to be held on August 13, 1997 for street paving, storm drainage, water and wastewater main improvements on Ramona Avenue from Five Mile Drive to Ann Arbor Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1495

Item 23: Endorse Texas Department of Transportation's proposal for improvements designed to reduce congestion on Interstate 30 between Interstate 35E and Interstate 45, utilizing Interstate Highway Maintenance-Safety Enhancement Funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1496

Item 24: Endorse the proposal between the City of Dallas and the Texas Department of Transportation for design, right-of-way acquisition, and construction of service roads along Interstate 20 from Hampton Road to Polk Street on the north and south sides and from Bonnie View Road to Lancaster Road on the south side only - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion Deputy Mayor Pro Tem Mayes requested that consent agenda item 24 be considered as an individual item. Mayor Kirk stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Mayes' request.

Later in the meeting consent agenda item 24 was brought up for consideration.

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1497

Item 25: Seevers Avenue from McVey Avenue to Brownlee Avenue

- * Authorize street paving, 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

May 14, 1997

97-1498

Item 26: Seevers Avenue from McVey Avenue to Brownlee 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

May 14, 1997

97-1499

Item 27: Authorize the purchase, from William F. O'Connor, Jr., of approximately 14,234 square feet of land improved with a 1-story structure, located on Denton Drive between Burbank Street and Brookfield Avenue, in accordance with the Dallas Love Field Policies - \$115,000 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1500

Item 28: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Northwood Club, of approximately 34,972 square feet of land for a drainage easement and 12,512 square feet of land for a temporary working space easement, needed for the Alpha Road/White Rock Creek Channel Improvement Project, located near the intersection of Alpha and Hillcrest Roads - \$44,974 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1501

Item 29: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Crosscreek Investments, Inc. and Majid Hemmasi, of approximately 2.3 acres of unimproved land, located near the intersection of Cockrell Hill Road and Kiest Boulevard, for the Five Mile Creek Greenbelt - \$15,100 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1502

Item 30: Authorize settlement in lieu of proceeding to a jury trial in condemnation for acquisition of a single-family residential property located at 4105 Golden Road in Irving, Texas from John R. Flood and Martha H. Flood needed for the D-FW International Airport Expansion project - \$145,000 - 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

May 14, 1997

97-1503

Item 31: Authorize the City Manager to execute two (2) leases with the Federal Aviation Administration (FAA) for navigational equipment at Love Field Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1504

Item 32: Authorize the City Manager to implement criteria and procedures to allow for the private sale of tax foreclosed or seized properties to qualified non-profit organizations in furtherance of city approved public purposes, prior to offering the tax foreclosed or seized properties for sale to the public by sealed bid - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1505

Item 33: Authorize the conveyance of an ingress and egress easement to Charles Lamoyne Floyd containing approximately 1,458 square feet of land in Rains County across the City's water transmission line at County Road 2420 near U.S. Highway No. 69 - Revenue: \$500

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1506

Item 34: Authorize the sale by quitclaim deed of 17 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders - Revenue: \$109,030

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1507

Item 35: Declare four tracts of City-owned land containing a total of approximately 83,650 square feet, located in the area bounded by Bryan Street, Cantegral Street, Live Oak Street and Liberty Street, unwanted and unneeded and authorize their advertisement for sale by sealed bids at a minimum bid of \$6 per square foot - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1508

Item 36: An ordinance abandoning a portion of a utility easement to Cory A. McGuire and Jacqueline S. McGuire, the abutting owners, containing approximately 761 square feet of land, located near the intersection of Deloache Avenue and Inwood Road and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23096.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1509

Item 37: An ordinance abandoning a portion of Franklin Avenue and unnamed street rights-of-way and an alley to Dallas Independent School District, the abutting owner, containing approximately 46,175 square feet of land, located near the intersection of Franklin Avenue and West Davis Street, authorizing the quitclaim and providing for the dedication of approximately 3,119 square feet of land needed for an alley turnaround and approximately 20,319 square feet of land needed for a public access easement - Revenue: \$43,917 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23097.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1510

Item 38: An ordinance abandoning a portion of Caroline Street and alley rights-of-way to Caroline Investments, Inc., the abutting owner, containing approximately 23,669 square feet of land, located near the intersection of Caroline Street and Ashland Street and authorizing the quitclaim - Revenue: \$201,187 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23098.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1511

Item 39: An ordinance abandoning a portion of a sidewalk easement to Fairmont Hotel Company - Dallas, L.P., the abutting owner, containing approximately 1,031 square feet of land, located near the intersection of Akard Street and Munger Avenue and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23099.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1512

Item 40: An ordinance abandoning a portion of a utility easement to Lowe's Home Centers, Inc., the abutting owner, containing approximately 10,050 square feet of land, located near the intersection of Inwood Road and Forest Lane and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23100.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1513

Item 41: An ordinance abandoning a wastewater easement to Ashton Coit Joint Venture, the abutting owner, containing approximately 8,300 square feet of land, located near the intersection of Bromich Court and Pendleton Street, providing for the dedication of approximately 2,560 square feet of land needed for a wastewater easement and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23101.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1514

Item 42: An ordinance granting a private license to the County of Dallas for the use of approximately 1,826 square feet of land, in order to install and maintain a screening fence and gates on Slocum Street right-of-way, near its intersection with Wichita Street - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23102.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1515

Item 43: An ordinance granting a revocable license to Dallas Independent School District for the use of approximately 554 square feet of land in order to install and maintain fiber-optic and copper cables under Washington Avenue, near its intersection with Roseland Avenue, and under Ross Avenue and San Jacinto Street near their intersection with Washington Avenue - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23103.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1516

Item 44: An ordinance granting a private license to Santa Fe Joint Venture, for approximately 11,350 square feet of land, in order to maintain an existing tunnel under Jackson and Wood Streets for parking, located near the intersection of Jackson and Field Streets - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23104.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1517

Item 45: An ordinance granting renewal of a revocable license to TCI TKR of the Metroplex, Inc., for approximately 14,653 square feet of land, in order to maintain an existing aerial cable in street right-of-way, located near the intersection of Jefferson Boulevard and Smith Street - Revenue: \$1,271 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23105.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1518

Item 46: Authorize a twelve month multiple award price agreement for print shop paper with the lowest responsible bidders of five - Nationwide Papers, and ResourceNet International - Not to exceed \$162,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1519

Item 47: Authorize a ninety-six (96) month extension of the licensing agreement with International Business Machines Corporation, sole source, for mainframe operating systems software products used on mainframe computer processor systems - Not to exceed \$6,188,192 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1520

Item 48: Authorize the purchase of two hundred fifty-seven (257) fire hoses with the lowest responsible bidders of nine - Casco Industries, and Fire Supply, Inc. - Not to exceed \$52,010 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1521

Item 49: Authorize a thirty-six month price agreement for firefighting foam with the lowest responsible bidder of six - Aldens, Inc. - Not to exceed \$194,880 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1522

Item 50: Authorize a twelve month price agreement for copyrighted electronically published magazine and journal articles to be used at public libraries - Sole Source - EBSCO Subscription Services - Not to exceed \$187,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1523

Item 51: Authorize a twelve month price agreement for books recorded on audio tapes to be used at public libraries - Sole Source - Recorded Books, Inc. - Not to exceed \$150,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1524

Item 52: Authorize the purchase of 160 traffic signal poles of various types with the lowest responsible bidder of two - Valmont Industries, Inc. - Not to exceed \$139,495 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1525

Item 53: Authorize a twenty-four month multiple award price agreement for swimming pool chemicals with the lowest responsible bidders of six - DCC, Inc., DPC Industries, Inc., Harcros Chemicals, Inc., Leslie's Swimming Pool Supplies, Sunbelt Pool Supply - Not to exceed \$357,150 - Financing: Current Funds (\$300,000), Water Utilities Current Funds (\$57,150)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1526

Item 54: Authorize a twenty-four month multiple award price agreement for hot applied joint sealing material with the lowest responsible bidders of eight - Maxwell Products, Inc., Texas Contractor's Supply Company, Crafcot Texas, Inc., and Paramount Liquid Seal, Inc. - Not to exceed \$220,000 - Financing: Current Funds (\$200,000), Aviation Current Funds (\$20,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1527

Item 55: Authorize a thirty-six month price agreement for the collection of delinquent water and wastewater accounts, landfill disposal fees, library fines, park facility reservation fees, and Convention Center rentals - National Allied Bureau, Inc., lowest responsible bidder of eight - Consideration: 14.5% commission of revenue collected - Additional revenue of \$124,927 is anticipated over the next 12 months

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1528

Item 56: Authorize a thirty-six month price agreement with two twelve month renewal options for ground maintenance to include maintenance of sculptures and fountains at Pioneer Plaza with the lowest responsible bidder of four - Forest Hills Lawn Service - Not to exceed \$448,620 - Financing: Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1529

Item 57: Authorize settlement of a lawsuit styled Di Lu v. Francisco Rivera, Jr. and City of Dallas, Cause No. 96-05443-M - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1530

Item 58: Authorize settlement of a lawsuit styled Linda Rowan v. the City of Dallas, Cause No. 96-02065-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1531

Item 59: Authorize settlement of a lawsuit styled Margaret A. Crouch v. Nympha Romero and the City of Dallas, Cause No. 96-04715-G - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1532

Item 60: Authorize settlement of a lawsuit styled Guillermo Galan and Jose Galan v. State and County Mutual Fire Insurance Company, North American Insurance Services, Inc., Admiral Insurance Agency, and the City of Dallas, Cause No. 96-07198-A - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1533

Item 61: Authorize payment of a judgment in a lawsuit styled, Carol Cola/Lucille Shepherd v. City of Dallas, Cause No. 93-6226-I - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1534

Item 62: Authorize settlement of a claim styled Jimmie L. Hunter and Katherine Hunter v. City of Dallas for property damage. Claim No.: 95-101000969 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1535

Item 63: Authorize a three month contract for foreign language oral proficiency testing services with Language Testing International, Inc. (LTI) for the participants of the City's Language Skills Program - Not to exceed \$52,750 - Financing: Employee Programs

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1536

Item 64: Authorize a three year contract with two twelve month renewal options with Intracorp for utilization management services consisting of hospital pre-admission certification, continued stay review, length of stay determination, and discharge monitoring - Not to exceed \$900,000 - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1537

Item 65: Authorize a thirty month contract with three twelve month renewal options for actuarial and benefit consulting services with Buck Consultants, Inc. to support the City's Employee Benefits Program and the Retiree Health Plan - Not to exceed \$250,000 - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1538

Item 66: Authorize an amendment to the delinquent citations collection contract, as amended, with The Master Collectors, Inc. d.b.a. Nationwide Credit, Inc. to extend the existing contract for a period not to exceed twelve (12) months and to continue to pay the contractor at a rate of 25% of delinquent revenues collected - Estimated Revenue: \$1,250,178

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1539

Item 67: Authorize a contract with McGladrey & Pullen, LLP for consulting services to conduct a computing disaster recovery risk assessment - Not to exceed \$95,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1540

Item 68: Authorize an amendment to the contract with Southwestern Bell Telephone Company for Citywide telephone service, and increase the funding in an amount not-to-exceed \$6,498,000 (Current contract amount \$13,979,714 will increase by \$6,498,000 to a total of \$20,477,714) - Financing: Current Funds

The city secretary announced that Councilmember Luna had deferred consideration of agenda item 68 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

May 14, 1997

97-1541

Item 69: Authorize the assignment of the real property tax abatement agreement, originally approved on May 24, 1995 by Resolution Number 95-1950, between the City of Dallas and Bronco Bowl Holding, Inc. to Bronco Group, Ltd., a Texas Limited Partnership. Bronco Group Ltd. shall comply with all the terms and conditions of the agreement - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1542

Item 70: Authorize an amendment to the annual taxicab operating authority of Republic Taxi New to increase its authorized fleet by 25 vehicles, from 110 to 135 - Revenue: \$6, 250 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1543

Item 71: An ordinance amending Chapter 48A of the Dallas City Code to provide sign, equipment, vehicle, and insurance requirements for vehicle tow services; to regulate a vehicle tow service's removal of unauthorized vehicles from public rights-of-way; to prohibit financial involvement between a vehicle tow service and private property on which it performs nonconsent tows; to require a vehicle storage facility to report towed vehicles to the police; to require a vehicle owner to be given notice of the right to challenge the legality of a tow under state law; and to increase the rates that a vehicle tow service may charge for its services - Revenue: \$9,900 annually

At the time the consent agenda was presented for discussion Deputy Mayor Pro Tem Mayes requested that consent agenda item 71 be considered as an individual item. Mayor Kirk stated that consent agenda item 71 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Mayes' request.

Later in the meeting agenda item 71 was brought up for consideration.

The following individuals addressed the city council regarding the ordinance.

- Dan Messina, 10646 Newkirk St., representing APCO Towing Service
- James Mosser, 5429 LBJ Fwy.
- William E. Cothrum, 500 S. Ervay, Suite 121A, representing the Dallas County Towing Alliance
- Michael Alexander, 3100 Monticello Ave, representing the Dallas County Towing Alliance

Councilmember Mallory Caraway moved to approve the ordinance.

Motion seconded by Mayor Pro Tem Wells.

Councilmember Hicks moved to substitute for Councilmember Mallory Caraway's motion a motion to postpone consideration of the ordinance until the full city council had been briefed on the matter.

Motion seconded by Councilmember Lipscomb.

After discussion Mayor Kirk called the vote on the motion then declared the motion lost on a divided voice vote. (Salazar absent)

Mayor Kirk then called the vote on Councilmember Mallory Caraway's original motion.

Voting Yes: [11] Kirk, Wells, Mayes, Luna, Stimson, Duncan, Mallory Caraway, Poss,
Walne, Blumer, McDaniel
Voting No: [2] Hicks, Lipscomb
Absent: [1] Salazar absent

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23106.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1544

Item 72: Authorize an agreement with the Dallas Independent School District (“DISD”) setting the terms of DISD's participation in the Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1545

Item 73: Authorize the City of Dallas to enter into an economic development grant agreement funded by the Enterprise Community Grant Program for the period of May 14, 1997 through December 31, 2004, with Teatro Texas, Inc., for the purchase of equipment, operating capital and finish out of a business to provide for a community entertainment venue, and a new business development in an under served area of the City. The request is the first step in the development of a multi-use facility in an amount not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1546

Item 74: Authorize the City of Dallas to enter into an economic development grant agreement funded by the Enterprise Community Grant Program for the period May 14, 1997 through December 31, 2004, with South Dallas Fair Park Inncity Community Development Corporation for the development and finish out of a business incubator facility to provide for a development resource center for entrepreneurial training for adults as well as youths, and for the expansion of business development in an under served area of the city. The request is for the finish out of the development resource center in an amount not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1547

Item 75: A resolution accepting the 1996 Annual Report on the financial status of Tax Increment Financing District Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) submitted by the Reinvestment Zone's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the Zone, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1548

Item 76: A resolution accepting the 1996 Annual Report on the financial status of Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) submitted by the Reinvestment Zone's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the Zone, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1549

Item 77: A resolution accepting the 1996 Annual Report on the financial status of Tax Increment Financing District Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) submitted by the Reinvestment Zone's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the Zone, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1550

Item 78: A resolution accepting the 1996 Annual Report on the financial status of Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) submitted by the Reinvestment Zone's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the Zone, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1551

Item 79: A resolution accepting the 1996 Annual Report on the financial status of Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) submitted by the Reinvestment Zone's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the Zone, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1552

Item 80: Authorize the execution of a secured no-interest loan contract with African American Men of Peace Development, Corporation for the purchase of property located at 4016 South Denley Drive, Dallas, Dallas County, Texas for the period May 15, 1997 through May 14, 1998. Agencies that purchase property with Community Development Grant Funds are required to provide a public service to eligible persons for a minimum of five years - \$65,000 - Financing: 1995-96 Community Development Grant Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1553

Item 81: Authorize a contract with Nexus Recovery Center, Inc. to provide residential substance abuse treatment for adult women for the period June 1, 1997, through May 31, 1998 - \$50,370 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1554

Item 82: Authorize contracts with The New Place, Inc. to provide intensive outpatient substance abuse treatment for low-income, uninsured adults in an amount not to exceed \$50,000 and intensive outpatient substance abuse treatment for low-income, uninsured youth in an amount not to exceed \$100,000 for the period June 1, 1997, through May 31, 1998 - \$150,000 - Financing: Current Funds (\$125,000) and 1996-97 Community Development Grant Funds (\$25,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1555

Item 83: Authorize a contract with Robert Berry to create and install two life size bronze chimpanzee sculptures for the Kimberly Clark Chimpanzee Exhibit at the Dallas Zoo - \$31,725 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1556

Item 84: Authorize a contract renewal with the African American Museum to provide an After-School Program, Weekend Workshops, and a 4-week Summer Camp for elementary school children from low to moderate income families - \$50,000 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1557

Item 85: Authorize changes in the terms of the contract between the City of Dallas and the Dallas Museum of Natural History Association - Financing: This action has no additional cost consideration

The city secretary announced that Councilmember Luna had deferred consideration of agenda item 85 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

May 14, 1997

97-1558

Item 86: Authorize the Upfront Cost Assistance Program (UCAP) for eligible first time homebuyers in alliance with the Federal Home Loan Mortgage Corporation (Freddie Mac) - \$200,000 - Financing: Frost-Leland Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1559

Item 87: Authorize acceptance of funds from the Intermodal Surface Transportation Efficiency Act, Statewide Transportation Enhancement Program not to exceed \$160,297; and approval of an interlocal agreement with the Texas Department of Transportation for the site development at Freedman's Memorial Cemetery - \$32,060 (City's 20% match cost) - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1560

Item 88: Authorize a one-year agreement with a one-year renewal option with Dallas County Transportation Services to transport children and adults to various programs and activities - \$45,520 - Financing: Current Funds (\$28,210), 1996-97 Community Development Grant Funds (\$15,510) and Walker Consent Decree Funds (\$1,800)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1561

Item 89: Authorize a public hearing to be held on June 11, 1997 to receive citizen comments and authorize Council action on June 11, 1997, on the proposed use of a portion of Emerald Lake Park and all other park land located within Planned Development District (PD) 187 for placement of utility lines connecting water, wastewater and stormsewer lines to serve adjacent development - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1562

Item 90: Authorize the rejection of four bids received for a thirty-six month price agreement for fertilizer, and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1563

Item 91: Authorize acceptance of the withdrawal by American Beauty Mill Company, L.C., dated February 25, 1997, of its application for a Section 108 Intown Housing Program loan which was authorized by Resolution 96-0447; and authorize approval to make the \$1,803,499 allocated to American Beauty Mill available for other Section 108 Intown Housing Program projects approved by HUD and the City - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1564

Item 92: Authorize the acceptance of \$200,000 Mobil Foundation funds to provide employment and basic education services for low to moderate income youth, ages 16 and above, during the summer; and authorize respective interlocal agreements with the Dallas County Community College District - El Centro College to operate the basic education component for \$21,000 and North Lake College to provide instruction and supervision in the home construction component for \$9,000, and provide employment and training services totaling \$170,000 - \$200,000 - Financing: - 1997 Mobil Foundation Trust Funds

At the time the consent agenda was presented for discussion Mayor Pro Tem Wells requested that consent agenda item 92 be considered as an individual item. Mayor Kirk stated that consent agenda item 92 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Mayes' request.

Later in the meeting agenda item 92 was brought up for consideration.

Deputy Mayor Pro Tem Mayes moved to adopt the resolution accepting the Mobil Foundation funds.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1565

Item 93: Authorize a relocation payment to Daco Trim, which was displaced by City acquisition activities in conjunction with the Old City Park Expansion Project, in the amount of \$20,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1566

Item 94: Authorize a relocation payment for the Oak Cliff Post No. 275 of the American Legion, which was displaced by City acquisition activities in conjunction with the Dallas Zoo Expansion Project, in the amount of \$ 21,590 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1567

Item 95: Authorize the second year of Street Maintenance and Repair work for the "Streets 2010" Program to be performed by City Street Operations, lowest responsible bidder of two - Not to exceed \$3,299,959 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1568

Item 96: An ordinance authorizing an LO-1 Limited Office District on property presently zoned an NO(A) Neighborhood Office District, Planned Development District No. 104, and Planned Development District No. 161 on the south of Summerside Drive between Preston Road and Campbell Road, a resolution accepting a deed restriction instrument submitted in conjunction with the change of zoning, and a resolution accepting an instrument terminating the existing deed restrictions on a portion of the property (Z923-222/9407-N) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23107.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1569

Item 97: An ordinance authorizing the removal of the Dry Overlay District on property presently zoned a CR-D Community Retail-Dry District and Planned Development District No. 462-Dry, the Henderson Avenue Special Purpose District, at the southeast corner of Henderson Avenue and Willis Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the application [Z967-161/10167-C(DW)] - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23108.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1570

Item 98: Public Hearing

A public hearing was called to receive citizen comments on the proposed amendments to Chapters 14 and 41A of the Dallas City Code regarding sexually oriented businesses - Financing: No cost consideration to the city

Appearing in opposition to the proposed amendments:

- Mark Housewright, 1328 Cedar Hill Ave.
- Joe Martin, 3105 Gladiolus Ln.

Appearing in favor of the proposed amendments:

- Bob Breunig, 9215 Westview Cir.
- Randy Staff, 6964 Tokalon Dr.
- Elijah McGrew, 6220 Lovett Ave.
- Dan Panetti, 18909 Lloyd Cir.
- David Voss, 10302 Cimmaron Trl.
- Jerry Blake, 2801 Bachman Dr.
- Scott Corwin, 9150 Garland Rd.
- Larry Luciso, 9939 Ontario La.
- Laura Weston, 4314 Crowley Dr.

Mayor Pro Tem Wells moved to close the public hearing.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent; Mallory Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1571

Item 99: Public Hearing

A public hearing was called to receive citizen comments in preparation of the FY 1997-98 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

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

- Fahim Minkah, 3515 E. Overton Rd.
- Elsie Risby, 2900 Dilido Rd.
- Mary Watkins, (no residence address given)
- Joe Martin, 3105 Gladiolus Ln.

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

Motion seconded by Councilmember Walne and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1572

Item 100: Public Hearing

A public hearing was called to receive citizen comments for an application to close Waterside Court at Highland Road under provisions of the City's Residential Street Closure Policy and authorize the City Manager to work with the applicant to close the street - Financing: No cost consideration to the City

The following individual addressed the city council regarding the application:

-- Gerald Scandore, 1431 Waterside Dr.

Councilmember Walne moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1573

Item 101: Public Hearing

A public hearing was called to receive citizen comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by TCI Cablevision of Dallas, Inc. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding cable television services:

- Mark Morrison, 1565 Chenault Ave., representing TCI Cablevision of Dallas, Inc.
- Pat Bustos-Robinson, 1565 Chenault Ave., representing TCI Cablevision of Dallas, Inc.
- Angela Barents, 2106 Bennett Ave.
- Wayne Puttman, 6108 Abrams Rd.
- Gwain Wooten, 5111 Holland Ave.
- Elsie Risby, 2900 Dilido Rd.
- Joe Martin, 3105 Gladiolus Ln.
- Eddie Josephs, 3909 Fantasia Ln.
- J.W. Willis, 3808 Travis St.

Mayor Pro Tem Wells moved to close the public hearing.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1574

Public Hearing - Prestonwood Public Improvement District

Item 102: * A public hearing to receive citizen comments on the creation of a Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for a section of the Prestonwood Area to be called the Prestonwood Public Improvement District (“District”) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

A public hearing was called to receive citizen comments on the creation of a Public Improvement District:

Appearing in opposition to the creation of the Prestonwood Public Improvement District:

- Tom Bailey, 6406 Riverview La.
- William Hendrickson, no address given, Carrollton

Appearing in favor of the creation of the Prestonwood Public Improvement District:

- John Bronstad, 6223 Pineview Rd.
- John Stein, 6323 Oakleaf Rd.
- Carolyn Kenington, 6514 Wickwood Dr.

Mayor Pro Tem Wells moved to close the public hearing.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1575

Public Hearing - Prestonwood Public Improvement District

- Item 103: * Authorize (i) the creation of a Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for section of the Prestonwood Area to be called the Prestonwood Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; (ii) the designation of the Prestonwood Homeowners Association, Inc. as manager of the District; (iii) a contract with Prestonwood Homeowners Association, Inc. for management services; and (iv) the approval of the District Service Plan. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District - Financing: No cost consideration to the City

Mayor Pro Tem Wells moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1576

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 104-113 was presented.

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

- Agenda item 104: Zoning Case Z967-183/6377-C(TT)
- Agenda item 105: Zoning Case Z967-184/6377-C(TT)
- ~~Agenda item 106: Zoning Case Z967-167/6620-SW(KC)~~ [Considered individually]
- Agenda item 107: Zoning Case Z967-168/10242-NW(KC)
- ~~Agenda item 108: Zoning Case Z967-187/10280-NE(CR)~~ [Considered individually]
- Agenda item 109: Zoning Case Z967-151/10231-NC(RB)
- ~~Agenda item 110: Zoning Case Z967-186/10279-NC(CR)~~ [Considered individually]
- Agenda item 111: Zoning Case Z967-166/9881-SE(CR)
- Agenda item 112: Zoning Case Z967-178/8720-NC(RB)
- Agenda item 113: Zoning Case Z967-146/674-SW(KC)

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

No appeared to comment on cases on the consent zoning docket

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 Mayor Pro Tem Wells and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1577

Item 104: Zoning Case Z967-183/6377-C(TT)

Zoning Case Z967-183/6377-C(TT), a Landmark Commission authorized hearing to consider the granting of an Historic Overlay District on the Adam Hats Building on property presently zoned as Planned Development District No. 269, the Deep Ellum/Near Eastside Special Purpose District, at the south corner of Canton Street and Crowds Street, and an ordinance granting the proposed Historic Overlay District.

(The city plan commission recommended approval of an Historic Overlay District, subject to certain preservation criteria.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23110.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1578

Item 105: Zoning Case Z967-184/6377-C(TT)

Zoning Case Z967-184/6377-C(TT), a Landmark Commission authorized hearing to consider the granting of an Historic Overlay District for the Mitchell Building on property presently zoned as Planned Development District No. 269, the Deep Ellum/Near Eastside Special Purpose District, at the east corner of Commerce Street and Benson Street, and an ordinance granting the proposed Historic Overlay District.

(The city plan commission recommended approval of an Historic Overlay District, subject to certain preservation criteria.)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23111.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1579

Item 106: Zoning Case Z967-167/6620-SW(KC)

The consent zoning docket, consisting of agenda items 104-113 was presented.

Cherryl Peterman, director of planning requested that consent zoning docket item 106 removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 106 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection to the request.

Later in the meeting zoning docket item 106 was brought up for consideration.

A public hearing was called on zoning case Z967-167/6620-SW(KC), an application to terminate the existing deed restrictions on property presently zoned an RR Regional Retail District at the southeast corner of Interstate 20 and Hampton Road and a resolution authorizing acceptance of an instrument terminating the deed restrictions.

(The city plan commission recommended approval.)

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

Councilmember Lipscomb moved to postpone consideration of the application until the May 28, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1580

Item 107: Zoning Case Z967-168/10242-NW(KC)

Zoning Case Z967-168/10242-NW(KC), an application for and an ordinance granting a GR General Retail Subdistrict on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Lucas Drive and West Sylvester 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. 23112.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1581

Item 108: Zoning Case Z967-187/10280-NE(CR)

The consent zoning docket, consisting of agenda items 104-113 was presented.

Cherryl Peterman, director of planning requested that consent zoning docket item 108 removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 106 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection to the request.

Later in the meeting zoning docket item 108 was brought up for consideration.

A public hearing was called on zoning case Z967-187/10280-NE(CR), an application for and an ordinance granting a Planned Development District for certain MF-1(SAH) Multifamily (Standard Affordable Housing) District Uses on property presently zoned an MF-1(A) Multifamily District, an NS(A) Neighborhood Service District, and a TH-3(A) Townhouse District on the southwest side of Walnut Street, west of the G.C. & S. F. Railroad.

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

Cherryl Peterman, director of planning, reminded the council that in accordance with Subsection (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of request or land within 200 feet of the area of request and the protest had been filed with the director of planning.

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

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

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23113.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1582

Item 109: Zoning Case Z967-151/10231-NC(RB)

Zoning Case Z967-151/10231-NC(RB), an application for and an ordinance granting a Planned Development District 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, subject to a development/landscape plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23114.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1583

Item 110: Zoning Case Z967-186/10279-NC(CR)

The consent zoning docket, consisting of agenda items 104-113 was presented.

Councilmember Blumer requested that consent zoning docket item 110 removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 110 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Blumer's request.

Later in the meeting zoning docket item 110 was brought up for consideration.

A public hearing was called on Zoning Case Z967-186/10279-NC(CR), an application for and an ordinance granting a Planned Development District for Single Family Uses on property presently zoned an R-7.5(A) Single Family District west of the intersection of Caruth Haven Lane and North Central Expressway.

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

Councilmember Blumer moved to close the public hearing, modify the recommendation of the city plan commission to provide that a specific use permit is required for the handicapped group dwelling unit use when located within 1,000 feet of another handicapped group dwelling unit or a group residential facility, to approve the application with that change, and to approve the ordinance changing the zoning.

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

Assigned ORDINANCE NO. 23115.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1584

Item 111: Zoning Case Z967-166/9881-SE(CR)

Zoning Case Z967-166/9881-SE(CR), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1252 for a Child-care facility on property presently zoned an R-7.5(A) Single Family District at the northwest corner of Jim Miller Road and Sarah Lee Lane in order to extend the time period from two years to a permanent time period and to allow additional floor area.

(The city plan commission recommended approval with a five-year time period with eligibility for automatic renewal for additional five-year time periods.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23116.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1585

Item 112: Zoning Case Z967-178/8720-NC(RB)

Zoning Case Z967-178/8720-NC(RB), an application for and an ordinance granting an amendment to a portion of Planned Development District No. 318 for Mixed Uses to create a Subarea to permit an increase in structure height, an increase in the number of stories permitted, and to permit a mounted cellular antenna as an additional use on property located at the northwest corner of Dallas North Tollway and Rosemeade Parkway.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23117.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1586

Item 113: Zoning Case Z967-146/674-SW(KC)

Zoning Case Z967-146/674-SW(KC), an application for and an ordinance granting an MF-1(A) Multifamily District on property presently zoned an R-7.5(A) Single Family District on the south side of Camp Wisdom Road, east of Houston School Road, 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. 23118.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1587

Item 114: Public Hearing - Zoning Case Z967-169/10244-C(KC)

A public hearing was called on zoning case Z967-169/1-244-C(KC), an application for a Specific Use Permit for a Bar, Lounge or Tavern and a Commercial Amusement (inside) use for a dance hall on property presently zoned a CR Community Retail District on the northeast side of Fitzhugh Avenue, northwest of Ash Lane.

(The city plan commission recommended denial.)

Cherryl J. Peterman, director of planning, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of planning.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1588

Item 115: Public Hearing - Zoning Case Z967-156/380-C(RB)

A public hearing was called on zoning case Z967-156/380-C(RB), an application for and an ordinance granting 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 51A 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. This application was considered by the City Council on March 12, 1997, and again on April 9, 1997, and was taken under advisement until May 14, 1997, with the public hearing open).

Appearing in opposition to the city plan commission recommendation:

- Don Francis, 5000 Ross Ave.

Appearing in favor of the city plan commission recommendation:

- J.R. Johnson, 3022 South Blvd., the applicant

Councilmember Luna moved to postpone consideration of the application until the May 28, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Mayor Pro Tem Wells and unanimously adopted. (Salazar absent; Mayes, Duncan, absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1589

Public Hearing - BENEFIT ASSESSMENT HEARING

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

- Item 116: * Benefit assessment hearing for alley paving, storm drainage, water and wastewater main improvements for the above listed alley.
- Item 117: * Ordinance levying benefit assessments for alley paving, storm drainage, water and wastewater main improvements for the above listed alley - Financing: No cost consideration to the city

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving, storm drainage, water and wastewater main improvements for Alley between pentagon Parkway, Wolcott Drive and Talco Drive from Bronx Avenue to Veterans Drive.

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

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

Motion seconded by Councilmember Hicks and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23119.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1590

Public Hearing - BENEFIT ASSESSMENT HEARING

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

- Item 118: * Benefit assessment hearing for alley paving and storm drainage improvements for the above listed alley.
- Item 119: * Ordinance levying benefit assessment for alley paving and storm drainage improvements for the above listed alley - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving and storm drainage improvements for 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.

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

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

Motion seconded by Councilmember Hicks and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23120.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1591

Public Hearing - BENEFIT ASSESSMENT HEARING

Fairview Avenue from East Grand Avenue to Lindsley Avenue

- Item 120: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the above listed street.
- Item 121: * 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 Fairview Avenue from East Grand Avenue to Lindsley Avenue.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23121.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1592

Public Hearing - BENEFIT ASSESSMENT HEARING

Frankford Road from Renaissance Drive to Marsh Lane

- Item 122: * Benefit assessment hearing for street paving, storm drainage and water main improvements for the above listed street.
- Item 123: * Ordinance levying benefit assessments for street paving, storm drainage and water main improvements for 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 and water main improvements for Frankford Road from Renaissance Drive to Marsh Lane.

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

Mayor Pro Tem Wells moved to close the public hearing and pass the ordinance levying the assessments.

Motion seconded by Councilmember Blumer and unanimously adopted. (Salazar absent)

Assigned ORDINANCE No. 23122.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1593

Item 124: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary distributed a report showing board and commission nominations for the 1995-1997 board term, updated through May 13, 1997.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for two nominees. The city secretary stated that the report should now show that Sylvia Rojas meets all qualifications for appointment to the Municipal Library Board and that Robert M. Farrell meets all qualifications for appointment to the Permit and License Appeal Board.

Deputy Mayor Pro Tem Mayes moved to appoint Sylvia Rojas to the Municipal Library Board and Robert M. Farrell to the Permit and License Appeal Board, both for terms ending August 31, 1997.

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

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

97-1620 MLB MUNICIPAL LIBRARY BOARD
97-1621 PLA PERMIT AND LICENSE APPEAL BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1594

Item 125: Authorize approval of the bi-weekly tax action

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1595

Item 126: Authorize execution of the City/Depository/City Treasurer Contract with James C. Monroe and his affiliated banking institution, Bank One, Texas, N.A., to provide basic banking, lockbox, merchant credit card and escrow/trust services for a two (2) year period beginning July 1, 1997 and ending June 30, 1999 with an option to extend the term for an additional two (2) years - Not to exceed \$1,100,000 for initial two year period - Financing: Current Funds

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1596

Item 127: An ordinance authorizing the issuance and sale of \$54,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 1997; accepting the bid and awarding the sale of the bonds; approving the Official Statement; and enacting other provisions in connection therewith.

Mayor Pro Tem Wells moved to to accept the bid of J.P. Morgan Securities Inc. and award the sale of \$54,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 1997 to J.P. Morgan Securities Inc., to pass the ordinance authorizing the issuance and sale of the bonds, to approve the Official Statement, and to enact other provisions in connection therewith.

Motion seconded by Councilmember Poss and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23109.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1597

Item 128: A resolution declaring it to be the policy of the City of Dallas that it will not discriminate against or deny city services to persons based on their immigration status to the extent not preempted by federal and state law - (Councilmembers Salazar, McDaniel, Duncan, Luna, Hicks, Deputy Mayor Pro Tem Mayes)

The city secretary announced that Councilmember Blumer had deferred consideration of agenda item 128 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

May 14, 1997

97-1598

Item 129: Authorize a real property tax abatement agreement with Featherlite Building Products Corporation for the purpose of granting an abatement of taxes on the added value to the real property in relation to the company's expansion within an area of the City of Dallas Enterprise Zone One at 3815-A Singleton Boulevard, Dallas, Texas, 75212 - Financing: No cost consideration to the City - Revenue: First year tax revenue estimated at \$1,340. Ten-year tax revenue estimated at \$13,402 (Estimated revenue foregone for 10-year real property abatement \$120,618)

Councilmember Stimson moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1599

Item 130: Authorize a real property tax abatement agreement with Standard Fruit and Vegetable Co., Inc. for abatement of taxes on the added value to the real property in relation to the company's expansion within an area of the City of Dallas Enterprise Zone One at 1400 Parker Street, Dallas, Texas, 75215 - Financing: No cost consideration to the City - Revenue: First year tax revenue estimated at \$725. Ten-year tax revenue estimated at \$7,256 (Estimated revenue foregone for 10-year real property abatement \$65,302)

Councilmember Stimson moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1600

Item 131: Authorize (i) a tangible personal property tax abatement agreement with Southwestern Financial Services Corporation and its lessor Maxus Tower Limited Partnership for the purpose of granting an abatement of taxes on the new tangible personal property, and (ii) a 100% development fee rebate in an amount not to exceed \$25,000 to the site in relation to the company's relocation and expansion within an area of the City of Dallas Enterprise Zone Three at 717 N. Harwood Street, Dallas, Texas, 75201 - Not to exceed \$25,000 - Financing: Public/Private Partnership Fund - Revenue: First year tax revenue estimated at \$4,188. Ten-year tax revenue estimated at \$41,881 (Estimated revenue foregone for 10-year tangible personal property abatement \$125,643)

Councilmember Stimson moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1601

Item 132: Authorize a contract with the successful bidder of two, St. Philip's School and Community Center or Park South YMCA, to implement an after school and summer day care program for the period June 1, 1997 through May 31, 1998 - \$45,000 - Financing: 1996-97 Community Development Grant Funds (Tie Bids)

The following individual addressed the city council regarding the creation of the Public Improvement District:

- Terry Flowers, 1600 Pennsylvania Ave., representing St. Philip's School and Community Center

The city secretary announced that the city manager had notified him that there were two bidders who submitted identical low bids, and that, in accordance with Section 271.901 of the Texas Local Government Code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

The city secretary announced that the names of each of the tying bidders had been written on separate pieces of paper and the papers folded so that the names were not visible. The city secretary held the two folded papers in view of the city council and the public and asked Councilmember Al Lipscomb to choose one of the folded papers, open it and read the name of the winning bidder.

Councilmember Lipscomb chose then opened one of the folded papers and read the name of the winning bidder. The city secretary announced the successful bidder, as determined in the drawing, was Park South YMCA.

Councilmember Stimson moved to award the contract to Park South YMCA, the low bidder as determined from the proposals of the bidders and by the drawing to break the tie.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1602

Item 133: An ordinance amending Chapter 8 of the Dallas City Code to provide for the number of members that constitute a quorum of a city board or commission (Municipal and Minority Affairs Committee)

Councilmember Lipscomb moved to pass the ordinance.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23123.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1603

Item 134: An ordinance amending Chapter 13 of the Dallas City Code to provide a waiver of interview requirements for a former or current full time judge who is applying for the office of an associate judge (Municipal and Minority Affairs Committee)

Councilmember Lipscomb moved to pass the ordinance.

Motion seconded by Councilmember Stimson.

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

Voting Yes:	[8]	Kirk, Stimson, Duncan, Hicks, Lipscomb, Poss, Blumer, McDaniel
Voting No:	[5]	Wells, Mayes, Luna, Mallory Caraway, Walne
Absent:	[1]	Salazar

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23124.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1604

Addendum addition 1: Authorize settlement with Plaintiffs, Michael M. Daniel, and Michael M. Daniel, P.C. of claims for attorneys' fees and expenses 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 Hicks moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1605

Addendum addition 2: Authorize the establishment of M/WBE goals at the availability level (per Exhibit 1) as determined by the independent consultants, D.J. Miller and Associates, Inc. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the M/WBE goals

- Reginald Gates, 2838 Martin Luther King Blvd., representing the Dallas Black Chamber
- Frank Cortez, 4622 Maple Ave., representing the Greater Dallas Hispanic Chamber
- Marcus Rincon, 6060 N. Central Expwy., representing LULAC
- Margo Posey, 2720 Stemmons Frwy., representing the Dallas-Ft. Worth Minority Business Development Council
- Jeff Ford, 3210 Princeton Ave., Highland Park, representing Associated General Contractors of America

Councilmember Lipscomb moved to reject the M/WBE goals as determined by the independent consultants, D.J. Miller and Associates, Inc., and as recommended by the staff, and instead adopt the goals as recommended in the Availability and Disparity Study issued by the City Council Municipal and Minority Affairs Committee and the M/WBE Advisory Committee.

Motion seconded by Councilmember Duncan.

Councilmember Luna asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the city would also consider recognition of the certifications from the State General Services Commission's HUB (Historically Underutilized Businesses) program in addition to the other groups included in the committee report.

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

Councilmember Luna asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the construction industry goal of 30 percent as recommended in the committee report be reduced to 25 percent, the interim goal that was previously approved by the city council.

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

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

Voting Yes: [13] Kirk, Wells, Mayes, Luna, Stimson, Duncan, Hicks, Mallory Caraway,
Lipscomb, Poss, Walne, Blumer, McDaniel
Voting No: [0]
Absent: [1] Salazar absent

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1606

Addendum addition 3: Authorize a five year contract with a five year renewal option with the firm of Blair, Goggan, Sampson and Meeks for the collection of delinquent ad valorem property taxes - Revenue: \$11,000,000

Mayor Pro Tem Wells moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1607

Addendum addition 4: Authorize an interlocal agreement with Dallas Independent School District to provide youth and non-youth services as recommended by the area Citizen Planning Advisory Committees of the Neighborhood Renaissance Partnership Program (Attachment A) - \$97,098 - Financing: 1995-96 Community Development Grant Funds

Councilmember Stimson moved to approve the item.

Motion seconded by Mayor Pro Tem Wells and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1608

Addendum addition 5: A resolution directing the city manager to strictly enforce the regulations contained in the Dallas City Codes requiring specific use permits in certain zoning districts for public schools (Housing and Neighborhood Development Committee)

The following individuals addressed the city council regarding the agreement:

- Hollis Brashear, representing the Dallas Independent School District
- Matthew Hardin, representing the Dallas Independent School District

Councilmember Luna moved to postpone consideration of resolution until the city council had been briefed on the matter, and to bring the resolution back to the city council for consideration during the May 28, 1997 voting agenda meeting.

Motion seconded by Councilmember Duncan and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1609

Addendum addition 6: Adoption of the Twenty-Seventh Supplemental Regional Airport Concurrent Bond Ordinance authorizing the sale of Dallas-Fort Worth Regional Airport Joint Revenue Construction and Refunding Bonds, Series 1997, subject to certain parameters, such as the principal amount not to exceed \$160,000,000, at interest rates not to exceed 7.5%, with a maturity date no later than November 1, 2024 and other parameters as set forth in the Bond Ordinance and ordaining other matters incident and related to the issuance of these bonds - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Mayes moved to pass the ordinance.

Motion seconded by Councilmember Mallory Caraway.

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

Voting Yes:	[11]	Kirk, Wells, Mayes, Luna, Duncan, Hicks, Mallory Caraway, Lipscomb, Poss, Walne, McDaniel
Voting No:	[2]	Stimson, Blumer
Absent:	[1]	Salazar

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23125.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1610

Addendum addition 7: Authorize a contract with the City of Dallas Business Development Corporation for a term of one year with the City of Dallas in which contractor shall focus on industrial and business growth and development in Dallas in an amount not to exceed \$503,000 - Financing: Public/Private Partnership Funds

Deputy Mayor Pro Tem Mayes moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1611

Addendum addition 8: Authorize a High Technology Procurement for a City-wide acquisition agreement for an electronic document management system (EDMS), and related services, including, but not limited to installation, warranty, training not to exceed \$345,353 and first year maintenance of \$48,504, for a total not to exceed \$393,857, plus a sixty month (60) option, subject to funding, to acquire additional equipment, maintenance, and related services not to exceed \$800,000 - Innovative Computer Group, Inc. - most advantageous proposer of three - not to exceed \$393,857 - Financing: Building Inspection Current Funds

The following individuals addressed the city council regarding the agreement:

- Charles Paige, 6349 Eldergrove Dr.
- Brenda Reyes, 6500 Greenville Ave., representing Innovative Computer Group

Mayor Pro Tem Wells moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1612

Addendum addition 9: Hispanic Community/Cultural Center

- * Authorize a professional services contract with Halff Associates, Inc. for architectural, engineering, landscaping, interior design and construction administration services related to Phase I of the Hispanic Community/Cultural Center - \$425,400 - Financing: 1995 Bond Funds

The following individual addressed the city council regarding the contract:

-- Maricela Vargas, 11394 Early Wood Dr.

Councilmember Luna moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1613

Addendum addition 10: Hispanic Community/Cultural Center

- * Authorize acceptance of a Special Warranty Deed, subject to reverter, from Meadows Foundation, Incorporated, donating approximately 135,524 square feet of land to the City for the Hispanic Community/Cultural Center at Good-Latimer Expressway and Live Oak Street (closing costs not to exceed \$21,000) - 1995 Bond Funds

Councilmember Luna moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1614

Addendum addition 11: Authorize rejection of bids received for construction of the dredging improvements to White Rock Lake - Financing: No cost consideration to the City

Councilmember Poss moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1615

Addendum addition 12: A resolution expressing the City Council's appreciation to the Community Development Assistance Corporation (CDAC) Neighborhood Revitalization Task Force for its report of April 17, 1997 and authorizing the City Manager to receive and analyze the report, present recommendations to the City Council and prepare a multi-year housing strategy

The city secretary announced that Councilmember Luna had deferred consideration of addendum addition 12 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

May 14, 1997

97-1616

Addendum addition 13: A resolution authorizing the creation of the Dallas Facilities Development Authority, Inc., pursuant to Sec. 4B of Article 5190.6, Vernon's Texas Civil Statutes, as an instrumentality of the City of Dallas; and containing other provisions relating to the subject - Financing: No cost consideration to the City

The city secretary announced that Councilmember Blumer had deferred consideration of addendum addition 13 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1617

Addendum addition 14: Amendments to Chapter 7 of the Dallas City Code

- * Motion to reconsider an ordinance amending Chapter 7 of the Dallas City Code to create an offense for an owner, harborer, or other person having care, custody, or control of a dog to allow the dog to defecate on public property or on certain private property within the city, with certain defenses (Addendum Item No. 12 on the April 9, 1997 agenda) (Councilmembers Lipscomb and Poss)

If this motion passes, council will consider the following item:

- * Adoption of an ordinance amending Chapter 7 of the Dallas City Code to create an offense for an owner, harborer, or other person having care, custody, or control of a dog to allow the dog to defecate on public property or on certain private property within the city, with certain defenses.

The following individual addressed the city council regarding the proposal to reconsider the ordinance:

-- Lanny Perkins, 5706 Monticello Ave.

Councilmember Lipscomb moved to reconsider the vote taken by the city council on addendum addition 12 from the April 9, 1997 city council agenda, an ordinance amending Chapter 7 of the Dallas City Code to create an offense for an owner, harborer, or other person having care, custody, or control of a dog or cat to allow the dog or cat to defecate on public property or on certain private property within the city, within certain defenses. Councilmember Lipscomb stated that he had voted with the prevailing side on April 9, 1997.

Motion seconded by Councilmember Luna.

Deputy Mayor Pro Tem Mayes moved that the pending question be laid on the table.

Motion seconded by Mayor Pro Tem Wells.

Mayor Kirk called the vote on the motion to lay the pending question on the table.

Voting Yes: [5] Wells, Mayes, Stimson, Hicks, Walne
Voting No: [8] Kirk, Luna, Duncan, Mallory Caraway, Lipscomb, Poss, Blumer,
McDaniel
Absent: [1] Salazar absent

Mayor Kirk declared the motion to lay the pending on the table was lost and debate could resume.

After discussion Mayor Kirk called the vote on the motion to reconsider.

Mayor Kirk declared the motion to reconsider adopted on a divided voice vote and that the item was before the council for reconsideration. (Salazar absent)

Councilmember Lipscomb moved to adopt an ordinance amending Chapter 7 of the Dallas City Code to create an offense for an owner, harborer, or other person having care, custody, or control of a dog to allow the dog to defecate on public property or on certain private property within the city, with certain defenses.

Motion seconded by Councilmember McDaniel.

At the conclusion of debate Mayor Kirk called the vote on the motion.

Voting Yes: [9] Kirk, Luna, Duncan, Hicks, Mallory Caraway, Lipscomb, Poss, Blumer,
McDaniel
Voting No: [4] Wells, Mayes, Stimson, Walne
Absent: [1] Salazar absent

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23126.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1618

EXECUTIVE SESSION

Attorney Briefings (Sec. 551.071 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.
- Status of Dallas Stars and Dallas Mavericks Long Term Reunion Arena Lease Agreements
- Debra Walker, et al v. HUD, et al.
- Legal issues regarding the Availability and Disparity Study (Addendum Item No. 2), if necessary

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.

The posted executive session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1619

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, MAY 14, 1997

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 14, 1997

97-1470

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

PRESENT: [13] Kirk, Wells, Mayes, Luna, Stimson, Duncan, Hicks, Mallory Caraway,
Lipscomb, Poss, Walne, Blumer, McDaniel

ABSENT: [1] Salazar

VACANT: [1]Place 11

CORRECTIONS TO THE MINUTES

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1473

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-97, 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 68, 85 and 128 [85] had been deferred until the next voting agenda meeting of the city council and notice that the items had been deferred had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that notice had been given in an addendum to the agenda that consent agenda items 80 had been deleted from the agenda and the addendum to the agenda had been posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code.

Councilmember Mallory Caraway requested that consent agenda item 24 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 24 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Mallory Caraway's request.

Deputy Mayor Pro Tem Mayes requested that consent agenda item 71 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 71 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Mayes' request.

Mayor Pro Tem Wells requested that consent agenda item 92 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 92 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Wells' request.

Councilmember Luna moved to approve all items on the consent agenda with the exception of items 68, 85 and 128 [85] which had been deferred until the next voting agenda meeting of the city council at the request of members of the council, item 80 which had been deleted on the addendum to the agenda, and items 24, 71 and 92 which would be considered later in the meeting as individual items.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1572

Item 100: Public Hearing

A public hearing was called to receive citizen comments for an application to close Waterside Court at Highland Road under provisions of the City's Residential Street Closure Policy and authorize the City Manager to work with the applicant to close the street - Financing: No cost consideration to the City

The following individual addressed the city council regarding the application:

-- Gerald Scandore, 1431 Waterside Dr.

Councilmember Walne moved to close the public hearing and approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1575

Public Hearing - Prestonwood Public Improvement District

- Item 103: * Authorize (i) the creation of a Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for section of the Prestonwood Area to be called the Prestonwood Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; (ii) the designation of the Prestonwood Homeowners Association, Inc. as manager of the District; (iii) a contract with Prestonwood Homeowners Association, Inc. for management services; and (iv) the approval of the District Service Plan. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District - Financing: No cost consideration to the City

Mayor Pro Tem Wells moved to approve the item [~~close the public hearing~~].

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1593

Item 124: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary distributed a report showing board and commission nominations for the 1995-1997 board term, updated through May 13, 1997.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for two nominees. The city secretary stated that the report should now show that Sylvia Rojas meets all qualifications for appointment to the Municipal Library Board and that Robert M. Farrell meets all qualifications for appointment to the Permit and License Appeal Board.

Deputy Mayor Pro Tem Mayes moved to appoint Sylvia Rojas to the Municipal Library Board and Robert M. Farrell to the Permit and License Appeal Board, both for terms ending August 31, 1997.

Motion seconded by Councilmember Blumer and unanimously adopted. (Hicks [~~Fielding~~] absent when vote taken)

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

97-1620 MLB MUNICIPAL LIBRARY BOARD
97-1621 PLA PERMIT AND LICENSE APPEAL BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1597

Item 128: A resolution declaring it to be the policy of the City of Dallas that it will not discriminate against or deny city services to persons based on their immigration status to the extent not preempted by federal and state law - (Councilmembers Salazar, McDaniel, Duncan, Luna, Hicks, Deputy Mayor Pro Tem Mayes)

The city secretary announced that Councilmember Blumer had deferred consideration of agenda item 128 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

~~[Deleted on the addendum to the agenda.]~~

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1605

Addendum addition 2: Authorize the establishment of M/WBE goals at the availability level (per Exhibit 1) as determined by the independent consultants, D.J. Miller and Associates, Inc. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the M/WBE goals

- Reginald Gates, 2838 Martin Luther King Blvd., representing the Dallas Black Chamber
- Frank Cortez, 4622 Maple Ave., representing the Greater Dallas Hispanic Chamber
- Marcus Rincon, 6060 N. Central Expwy., representing LULAC
- Margo Posey, 2720 Stemmons Frwy., representing the Dallas-Ft. Worth Minority Business Development Council
- Jeff Ford, 3210 Princeton Ave., Highland Park, representing Associated General Contractors of America

Councilmember Lipscomb moved to reject the M/WBE goals as determined by the independent consultants, D.J. Miller and Associates, Inc., and as recommended by the staff, and instead adopt the goals as recommended in the Availability and Disparity Study issued by the City Council Municipal and Minority Affairs Committee and the M/WBE Advisory Committee.

Motion seconded by Councilmember Duncan.

Councilmember Luna asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the city would also consider recognition of the [~~recognize~~] certifications from the State General Services Commission's HUB [G] (Historically Underutilized Businesses) program in addition to the other groups included in the committee report.

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

Councilmember Luna asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the construction industry goal of 30 percent as recommended in the committee report be reduced to 25 percent, the interim goal that was previously approved by the city council.

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

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

Voting Yes: [13] Kirk, Wells, Mayes, Luna, Stimson, Duncan, Hicks, Mallory Caraway,
Lipscomb, Poss, Walne, Blumer, McDaniel
Voting No: [0]
Absent: [1] Salazar absent

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1608

Addendum addition 5: A resolution directing the city manager to strictly enforce the regulations contained in the Dallas City Codes requiring specific use permits in certain zoning districts for public schools (Housing and Neighborhood Development Committee)

The following individuals addressed the city council regarding the agreement:

- Hollis Brashear, representing the Dallas Independent School District
- Matthew Hardin, representing the Dallas Independent School District

Councilmember Luna moved to postpone consideration of resolution until the city council had been briefed on the matter, and to bring the resolution back to the city council for consideration during the May 28, 1997 voting agenda meeting.

Motion seconded by Councilmember Duncan and unanimously adopted. (Salazar absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1575

Public Hearing - Prestonwood Public Improvement District

Item 103: * Authorize (i) the creation of a Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for section of the Prestonwood Area to be called the Prestonwood Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; (ii) the designation of the Prestonwood Homeowners Association, Inc. as manager of the District; (iii) a contract with Prestonwood Homeowners Association, Inc. for management services; and (iv) the approval of the District Service Plan. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District - Financing: No cost consideration to the City

Mayor Pro Tem Wells moved to approve the item.

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

The resolution to support this agenda item had not been received in the city secretary's office as of: May 16, 1997 (11:28am)

Resolution received: June 24, 1997 (11:31am)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1596

Item 127: An ordinance authorizing the issuance and sale of \$54,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 1997; accepting the bid and awarding the sale of the bonds; approving the Official Statement; and enacting other provisions in connection therewith.

Mayor Pro Tem Wells moved to to accept the bid of J.P. Morgan Securities Inc. and award the sale of \$54,000,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 1997 to J.P. Morgan Securities Inc., to pass the ordinance authorizing the issuance and sale of the bonds, to approve the Official Statement, and to enact other provisions in connection therewith.

Motion seconded by Councilmember Poss and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23109.

The ordinance to support this agenda item had not been received in the city secretary's office as of: May 16, 1997 (12:00pm)
Ordinance received: May 20, 1997 (11:35am)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1601

Item 132: Authorize a contract with the successful bidder of two, St. Philip's School and Community Center or Park South YMCA, to implement an after school and summer day care program for the period June 1, 1997 through May 31, 1998 - \$45,000 - Financing: 1996-97 Community Development Grant Funds (Tie Bids)

The following individual addressed the city council regarding the creation of the Public Improvement District:

- Terry Flowers, 1600 Pennsylvania Ave., representing St. Philip's School and Community Center

The city secretary announced that the city manager had notified him that there were two bidders who submitted identical low bids, and that, in accordance with Section 271.901 of the Texas Local Government Code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

The city secretary announced that the names of each of the tying bidders had been written on separate pieces of paper and the papers folded so that the names were not visible. The city secretary held the two folded papers in view of the city council and the public and asked Councilmember Al Lipscomb to choose one of the folded papers, open it and read the name of the winning bidder.

Councilmember Lipscomb chose then opened one of the folded papers and read the name of the winning bidder. The city secretary announced the successful bidder, as determined in the drawing, was Park South YMCA.

Councilmember Stimson moved to award the contract to Park South YMCA, the low bidder as determined from the proposals of the bidders and by the drawing to break the tie.

Motion seconded by Deputy Mayor Pro Tem Mayes and unanimously adopted. (Salazar absent)

The resolution to support this agenda item had not been received in the city secretary's office as of: May 16, 1997 (11:28am)

Resolution received: May 21, 1997 (10:49am)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1605

Addendum addition 2: Authorize the establishment of M/WBE goals at the availability level (per Exhibit 1) as determined by the independent consultants, D.J. Miller and Associates, Inc. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the M/WBE goals

- Reginald Gates, 2838 Martin Luther King Blvd., representing the Dallas Black Chamber
- Frank Cortez, 4622 Maple Ave., representing the Greater Dallas Hispanic Chamber
- Marcus Rincon, 6060 N. Central Expwy., representing LULAC
- Margo Posey, 2720 Stemmons Frwy., representing the Dallas-Ft. Worth Minority Business Development Council
- Jeff Ford, 3210 Princeton Ave., Highland Park, representing Associated General Contractors of America

Councilmember Lipscomb moved to reject the M/WBE goals as determined by the independent consultants, D.J. Miller and Associates, Inc., and as recommended by the staff, and instead adopt the goals as recommended in the Availability and Disparity Study issued by the City Council Municipal and Minority Affairs Committee and the M/WBE Advisory Committee.

Motion seconded by Councilmember Duncan.

Councilmember Luna asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the city would also consider recognition of the certifications from the State General Services Commission's HUB (Historically Underutilized Businesses) program in addition to the other groups included in the committee report.

Councilmember Lipscomb accepted the amendment as a part of his motion.

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

Councilmember Luna asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the construction industry goal of 30 percent as recommended in the committee report be reduced to 25 percent, the interim goal that was previously approved by the city council.

Councilmember Lipscomb accepted the amendment as a part of his motion.

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

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

Voting Yes: [13] Kirk, Wells, Mayes, Luna, Stimson, Duncan, Hicks, Mallory Caraway, Lipscomb, Poss, Walne, Blumer, McDaniel

Voting No: [0]

Absent: [1] Salazar absent

Mayor Kirk declared the motion adopted.

The resolution to support this agenda item had not been received in the city secretary's office as of: May 16, 1997 (11:28am) Resolution received: June 16, 1997 (10:28am)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 14, 1997

97-1609

Addendum addition 6: Adoption of the Twenty-Seventh Supplemental Regional Airport Concurrent Bond Ordinance authorizing the sale of Dallas-Fort Worth Regional Airport Joint Revenue Construction and Refunding Bonds, Series 1997, subject to certain parameters, such as the principal amount not to exceed \$160,000,000, at interest rates not to exceed 7.5%, with a maturity date no later than November 1, 2024 and other parameters as set forth in the Bond Ordinance and ordaining other matters incident and related to the issuance of these bonds - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Mayes moved to pass the ordinance.

Motion seconded by Councilmember Mallory Caraway.

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

Voting Yes:	[11]	Kirk, Wells, Mayes, Luna, Duncan, Hicks, Mallory Caraway, Lipscomb, Poss, Walne, McDaniel
Voting No:	[2]	Stimson, Blumer
Absent:	[1]	Salazar

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23125.

The ordinance to support this agenda item had not been received in the city secretary's office as of: May 16, 1997 (12:00pm)

Ordinance received: May 30, 1997 (9:49am)

