

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 28, 1997

97-1700

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

PRESENT: [14] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Poss, Walne, Blumer, McDaniel  
ABSENT: [0]  
VACANT: [1]Place 11

The meeting was called to order at 9:15 a.m.

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

The invocation was given by Dr. Wes Brown, pastor, Buckner Terrace Baptist 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 3:10 p.m.

Mayor

ATTEST:

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City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 28, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 28, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1701

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: Gail Ranen, 6925 Windy Ridge Dr.  
SUBJECT: Burnt house in neighborhood

SPEAKER: Jerry Blake, 2969 Highgrove Dr.  
SUBJECT: Blight in South Dallas

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Merrill Lynch/K.K.K./E.P.A.

SPEAKER: Elsie Risby, 2900 Dilido Rd.  
SUBJECT: Various issues

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1702

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of May 14, 1997 and the briefing meeting of May 21, 1997, were presented for approval.

Councilmember Luna moved to approve the minutes.

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

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1703

### CONSENT AGENDA

The consent agenda, consisting of agenda items 2-47, 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 15, 17, 18, 21, 32, 42, 45 and 46 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.

Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred consent agenda items 42, 45 and 46 until the next voting agenda meeting of the city council but that he wished to withdraw the deferral and consider the items as part of the consent agenda.

Councilmember Luna moved to suspend the rules of the city council in order to consider agenda items 42, 45 and 46 as part of the consent agenda and to approve all items on the consent agenda with the exception of items 15, 17, 18, 21 and 32, which had been deferred until the next voting agenda meeting of the city council at the request of members of the council.

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

[Later in the meeting the city council voted to suspend the rules of the council in order to consider agenda item 15.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1704

Item 2: Authorize a professional services contract with Edward Just Associates for a feasibility study of various renovation/expansion options for the Dallas Love Field, Main Terminal, Baggage Wing, located at 8008 Cedar Springs Road - \$87,163 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1705

Item 3: Authorize a professional services contract with APM & Associates, Inc. to provide engineering services for the replacement of water mains and rehabilitation or replacement of wastewater mains in an area bounded by I.H. 30, Walton Walker Boulevard, Kiest Boulevard and Corinth Road - \$219,358 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1706

Item 4: Authorize a contract for the construction of erosion control improvements for Woody Branch, Phase VI-B, located at: 318, 326, 728, 736, 806 Glen Oaks Boulevard and 5901, 5905, 5909, 5915 Hunters View Lane - Craig Olden, Inc., lowest responsible bidder of three - \$439,501 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1707

Item 5: Authorize a contract for the construction of alley improvements for the alley between Pentagon Parkway, Wolcott Drive and Talco Drive from Bronx Avenue to Veterans Drive - Roadway Engineering and Construction, Inc., lowest responsible bidder of five - \$166,128 - Financing: 1995 Bond Funds (\$135,223), Water Utilities Capital Construction Funds (\$2,150), Water Utilities Bond Funds (\$28,755)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1708

Item 6: Authorize a contract for the replacement of water and wastewater mains in the alleys of Hartsdale Drive, Westmount Avenue, Kingston Street, Brandon Street, Marlborough Avenue and Brighton Avenue - Horseshoe Construction, Inc., lowest responsible bidder of eight - \$1,596,590 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1709

Item 7: Authorize rejection of bids received and readvertisement for site development at Emerald Lake Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1710

Item 8: Authorize calling of a benefit assessment hearing to be held on August 13, 1997 for street paving and storm drainage improvements on Wheatland Road from Mountain Creek Parkway to 490 feet West of County View Road Phase II - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1711

Item 9: Authorize calling of a benefit assessment hearing to be held on August 27, 1997 for street paving, storm drainage, water and wastewater main improvements on Bond Avenue from Jefferson Boulevard to Davis Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1712

Item 10: Authorize an amendment to the Interlocal Agreement with the Texas Department of Transportation for construction of intersection improvements on Commonwealth Drive at Interstate 35E increasing the amount by \$40,130, from \$500,000 to \$540,130 - Financing: Private Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1713

Item 11: Authorize a participation agreement between the City of Dallas and Fairway Capital Partners, Limited for construction of a traffic signal at Pepper Square/Preston-Belt Line Shopping Center Driveway and Preston Road - \$70,000 - Financing: Private Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1714

Item 12: Alabama Avenue from Elmore Avenue to Illinois Avenue

- \* Authorize street paving, storm drainage, water and wastewater main improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1715

Item 13: Alabama Avenue from Elmore Avenue to Illinois Avenue

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1716

Item 14: Authorize the purchase, from Phillip J. McRae, of approximately 5,754 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 - \$54,000 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1717

Item 15: Authorize a one (1) year lease of approximately 610 square feet of terminal space (Gate 21) and 5,000 square feet of ramp space with Casino Airlines, Inc. at Dallas Love Field - Revenue: \$6,485 annual rental income

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 15 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Later in the meeting Councilmember Lipscomb moved to suspend the rules of the council in order to consider agenda item 15.

Motion seconded by Councilmember Stimson.

Mayor Pro Tem Wells called the vote on the motion to suspend the rules and declared the motion to suspend the rules unanimously adopted. (Kirk absent on city business; Salazar, absent when vote taken)

Councilmember Lipscomb moved to approve agenda item 15.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk absent on city business; Salazar, absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1718

Item 16: An ordinance abandoning Greenwood Street and alley rights-of-way to Baylor Health Care System, the abutting owner, containing approximately 23,000 square feet of land, located near the intersection of Live Oak Street and Floride Street, and providing for the dedication of approximately 5,453 square feet of land needed for street right-of-way and authorizing the quitclaim - Revenue: \$118,574 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23127.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1719

Item 17: An ordinance closing and vacating a portion of Pearl Expressway, containing approximately 15,298 square feet of land, located between Taylor Street and Marilla Street Extension for consolidation into the Farmers Market - Financing: No cost consideration to the City

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1720

Item 18: An ordinance abandoning a portion of Taylor Street right-of-way to East End Market Place, Ltd., the abutting owner, containing approximately 2,050 square feet of land, located near its intersection with South Central Expressway and authorizing the quitclaim - Revenue: \$13,940 plus the \$20 ordinance publication fee

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1721

Item 19: An ordinance abandoning a wastewater easement to Intervest-Bradford, Ltd., the abutting owner, containing approximately 2,122 square feet of land, located near the intersection of Keller Springs Road and Knoll Trail Drive and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23128.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1722

Item 20: An ordinance abandoning portions of wastewater easements to St. Andrews Phase II, Ltd., the abutting owner, containing approximately 9,152 square feet of land, located near the intersection of Vantage Point Drive and Greenville Avenue and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23129.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1723

Item 21: An ordinance abandoning a portion of Talmadge Lane right-of-way to Hillcrest Church, the abutting owner, containing approximately 11,937 square feet of land, located near its intersection with Hillcrest Road and authorizing the quitclaim - Revenue: \$81,172 plus the \$20 ordinance publication fee

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1724

Item 22: An ordinance closing and vacating an alley and Inge Street rights-of-way, containing approximately 35,628 square feet of land, located at the intersection of Love Field Drive and Inge Street, for consolidation with the adjacent city-owned property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23130.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1725

Item 23: Authorize an amendment to Resolution No. 96-3899, approved by Dallas City Council on December 11, 1996, by adding 35,628 square feet of land to the Fifth Amendment of Southwest Airlines Company's (SWA) Headquarters Lease and 35,754 square feet of land to the Fifth Amendment of SWA Maintenance Base Lease, wherein, all terms and conditions of the Fifth Amendments, as approved in Resolution No. 96-3899, remain in effect and shall apply to the land to be included therein - Revenue: \$14,277 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1726

Item 24: An ordinance granting a revocable license to Martin and Stone, Inc. and Martin News Agency, Inc. for the use of approximately 496 square feet of land to install and maintain an aerial computer and telephone communication cable over Gemini Lane located near its intersection with Royal Lane - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23131.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1727

Item 25: An ordinance granting a revocable license to Sipango I, L.P., for the use of approximately 1,766 square feet of land, to maintain a parking area on a portion of Travis Street near its intersection with Knox Street - Revenue: \$3,326 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23132.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1728

Item 26: An ordinance granting a revocable license to Southwest Airlines Co. for the use of approximately 6,169 square feet of land in order to install and maintain fiber-optic cable under DART right-of-way and along Love Field Drive and Denton Drive near the intersection of DART right-of-way and Wyman Street - Revenue: \$624 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23133.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1729

Item 27: An ordinance abandoning a portion of Coles Manor Place right-of-way to Texas Birchwood Apartments, L.P., the abutting owner, containing approximately 46,852 feet of land located between Fitzhugh and Kirby Street, in exchange for the dedication of not less than 46,852 square feet of land as private drive easements, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23134.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1730

Item 28: Authorize the purchase of eleven (11) fuel dispensers with the lowest responsible bidder of two - United Pump Supply, Inc. - Not to exceed \$50,820 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1731

Item 29: Authorize a thirty-six month multiple award price agreement for automotive lamps, lenses and mirrors with the lowest responsible bidders of eight - Midway Auto Supply Company, Barneys Auto Supply, Inc., and Muncie Reclamation & Supply Company - Not to exceed \$214,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1732

Item 30: Authorize the purchase of two (2) wheel loaders with the option to purchase additional units subject to the availability of funds at the same price anytime during the 1997 model production year with the lowest responsible bidder of eight - Con Equipment, Inc. - Not to exceed \$150,900 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1733

Item 31: Authorize a twenty-four month price agreement for breathing air mask parts and cylinders with the lowest responsible bidder of four - Wayest Safety, Inc. - Not to exceed \$910,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1734

Item 32: Authorize a twelve month price agreement for books of popular authors with the lowest responsible bidder of four - Brodart Company - Not to exceed \$100,000 - Financing: Current Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 32 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 28, 1997

97-1735

Item 33: Authorize a twenty-four month multiple award price agreement for flexible base materials with the lowest responsible bidders of six - Marock, Inc. and Recycled Aggregates, Inc. - Not to exceed \$698,150 - Financing: Current Funds (\$535,000), Water Utilities Current Funds (\$163,150)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1736

Item 34: Authorize a twenty-four month price agreement for emergency flares with the lowest responsible bidder of four - Vehicle Maintenance Program, Inc. - Not to exceed \$545,000 - Financing: Current Funds (\$543,200), Water Utilities Current Funds (\$1,800)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1737

Item 35: Authorize a thirty-six month price agreement for Police ballistic vests with the lowest responsible bidder of eight - Second Chance Body Armor, Inc. - Not to exceed \$601,240  
- Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1738

Item 36: Authorize a forty-eight month price agreement for helicopter engine maintenance and repair services with the lowest responsible bidder of three - Keystone Engine Services - Not to exceed \$906,300 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1739

Item 37: Authorize settlement of a lawsuit styled Rosa Vega v. Ward Nolan McDaniel and the City of Dallas, Cause No. 96-05842-J - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1740

Item 38: Authorize a professional services contract with Rimkus Consulting Group, Inc., to provide assistance in the preparation and trial of a lawsuit styled Ernest A. Janik, Jr., et al. v. City of Dallas, et al., Cause No. 3:95-CV-2594-D - Not to exceed \$20,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1741

Item 39: An ordinance amending Chapter 2 of the Dallas City Code to provide for the time and method of payment and for the assessment of interest on money owed to the city, with certain exceptions - Financing: No cost consideration to the city

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23135.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1742

Item 40: Authorize a public hearing to be held on June 18, 1997 to receive citizen comments on the Preliminary FY 1997-98 Consolidated Plan Budget for selected U.S. Department of Housing and Urban Development (HUD) grant funds and the Preliminary FY 1996-97 Community Development Block Grant Reprogramming Budget #2 - 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 28, 1997

97-1743

Item 41: Authorize a commercial loan to Art on the Boulevard for building renovations in an amount not to exceed \$20,000; a nonprofit grant to the Jeffries Street Learning Center for tutoring slots in an amount not to exceed \$35,000; a nonprofit grant to the Park South YMCA for day care slots in an amount not to exceed \$35,000; a nonprofit grant to The Science Place for three student internships in an amount not to exceed \$19,000; a nonprofit grant to the Martin Luther King, Jr. Family Clinic to fund partial salary costs for a health care marketing specialist in an amount not to exceed \$17,500; and a nonprofit grant to the Generations to Come Learning Center for tutoring slots in an amount not to exceed \$20,000 - \$146,500 - Financing: South Dallas/Fair Park Trust Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1744

Item 42: Authorize a one-year contract with two one-year renewal options with The United Way of Metropolitan Dallas, Inc. for the administrative, marketing, collection, disbursement, and record keeping services for the City of Dallas' Charitable Solicitation of City Employees Program - Not to exceed 10% annually of the funds collected from the City's annual employee charitable contribution fund drive - Financing: No cost consideration to the City

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 42 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted, but before the consent agenda had been considered, Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred consent agenda item 42 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item as part of the consent agenda.

When the consent agenda was called up for consideration Councilmember Luna moved, as part of his motion to approve the consent agenda, to suspend the rules of the city council in order to consider agenda item 42 as part of the consent agenda. His motion was seconded and adopted.

The item was approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1745

Item 43: An ordinance authorizing an RR-D Regional Retail-Dry District on property presently zoned a CR-D Community Retail-Dry District at the southwest corner of West Davis Street and Bond Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the application (Z967-163/10238-SW(DW)]- Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23136.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1746

Item 44: Authorize a Preservation Incentives Tax Abatement for 1933 Elm Street (Hart Furniture Building) - Financing: No cost consideration to the City - Revenue: (Estimated revenue foregone for 10-year abatement \$139,740)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1747

Item 45: Authorize a Preservation Incentives Tax Abatement for 3800 Commerce Street (Mitchell Building) - Financing: No cost consideration to the City - Revenue: (Estimated revenue foregone for 15-year abatement \$436,135)

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 45 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted, but before the consent agenda had been considered, Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred consent agenda item 45 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item as part of the consent agenda.

When the consent agenda was called up for consideration Councilmember Luna moved, as part of his motion to approve the consent agenda, to suspend the rules of the city council in order to consider agenda item 45 as part of the consent agenda. His motion was seconded and adopted.

The item was approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1748

Item 46: Authorize a Preservation Incentives Tax Abatement for 2700 Canton Street (Adam Hats Building) - Financing: No cost consideration to the City - Revenue: (Estimated revenue foregone for 15-year abatement \$583,631)

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 46 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted, but before the consent agenda had been considered, Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred consent agenda item 46 until the next voting agenda meeting of the city council, but that he wished to withdraw the deferral and consider the item as part of the consent agenda.

When the consent agenda was called up for consideration Councilmember Luna moved, as part of his motion to approve the consent agenda, to suspend the rules of the city council in order to consider agenda item 46 as part of the consent agenda. His motion was seconded and adopted.

The item was approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1749

Item 47: Authorize an amendment to the Master License Agreement with Dallas Computer Services, Inc. for the license fee and usage fees for the Texas Drivers License Inquiry System - \$13,000, from \$8,000 to \$21,000, for the period October 1, 1996 through September 30, 1997 - Financing: State Criminal Justice Grant Program Income Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1750

97-1751

Public Hearing - Amendments to Chapters 14 and 41A of the Dallas City Code

- Item 48: \* A public hearing to receive citizen comments on proposed amendments to Chapters 14, "Dance Halls," and 41A, "Sexually Oriented Businesses," of the Dallas City Code, which would define terms, including revising definitions of adult cabaret, nudity, and specified anatomical areas and deleting definitions of semi-nudity and simulated nudity; eliminate the classification and requirements for Class D dance halls; provide an amortization period for nonconforming sexually oriented businesses; restrict the location of sexually oriented businesses within 1,000 feet of child care facilities; provide sign requirements and exterior requirements for sexually oriented businesses; provide restrictions for nude model studios and adult cabarets relating to physical contact between employees and customers and customer access to closed areas within those establishments; and include other possible amendments - Financing: No cost consideration to the city [97-1750]
- Item 49 \* An ordinance amending Chapters 14, "Dance Halls," and 41A, "Sexually Oriented Businesses," of the Dallas City Code, to define terms, including revising definitions of adult cabaret, nudity, and specified anatomical areas and deleting definitions of semi-nudity and simulated nudity; to eliminate the classification and requirements for Class D dance halls; to provide an amortization period for nonconforming sexually oriented businesses; to restrict the location of sexually oriented businesses within 1,000 feet of child care facilities; to provide sign requirements and exterior requirements for sexually oriented businesses; to provide restrictions for nude model studios and adult cabarets relating to physical contact between employees and customers and customer access to closed areas within those establishments; and to include other possible amendments such as increasing locational restrictions from 1,000 feet to 1,500 feet - Financing: No cost consideration to the city [97-1751]

A public hearing was called to receive citizen comments on proposed amendments to Chapters 14, "Dance Halls," and 41A, "Sexually Oriented Businesses," of the Dallas City Code.

Appearing in opposition to the proposed amendments:

- William Hopkins, 2011 Leath St.
- Steven Kahn, no address given

Appearing in favor of the proposed amendments:

- Kathleen Leos, 2015 N. Prairie Ave., Board President, Dallas Independent School District
- John Loza, 3600 Commerce St., Councilmember-elect, Place 2
- Roxan Staff, 2707 W. Northwest Hwy., Board Member, Dallas Independent School District
- David Hardy, 1539 Brockham Cir., representing the Dallas Baptist Association
- Kim James, 5747 Emrose Terrace, representing the Buckner Terrace Homeowners Association
- Rob Teir, 4810 Cedar Springs Rd., representing the Center for the Community Interest
- Ami Lindsey, 9914 Lakemont Dr.
- Linda Russell, 9016 Maguires Bridge
- Carol Chase, 1525 Danube, Plano, representing the Stemmons Corridor Business Association
- Laura Weston, 4314 Crowley Dr.
- Ellie Ruth Rector, 2916 Falls Dr.

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

Motion seconded by Councilmember Blumer.

At the conclusion of debate Mayor Pro Tem Wells called the vote on the motion.

After the vote had been taken, but before the results of the vote were announced, Mayor Pro Tem Wells stated that Mayor Kirk had left the meeting early because of city business but that he asked that the record reflect that he would have voted "yes" on the motion if he had been present.

Voting Yes: [12] Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory Caraway,  
Poss, Walne, Blumer, McDaniel  
Voting No: [1] Lipscomb  
Absent: [1] Kirk absent on city business

Mayor Pro Tem Wells declared the motion adopted.

Assigned ORDINANCE NO. 23137.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1752

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 50-58 was presented.

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

- ~~Agenda item 50: Zoning Case Z967-171/9841-NC(CR)~~ [Considered individually]
- Agenda item 51: Zoning Case Z967-180/10262-C(RB)
- Agenda item 52: Zoning Case Z967-189/10282-SW(CR)
- Agenda item 53: Zoning Case Z967-190/10283-SW(CR)
- Agenda item 54: Zoning Case Z967-193/10285-C(KC)
- Agenda item 55: Zoning Case Z967-194/6389-NC(KC)
- Agenda item 56: Zoning Case Z967-196/2978-SE(KC)
- Agenda item 57: Zoning Case Z967-197/10286-C(KC)
- ~~Agenda item 58: Zoning Case Z967-200/10288-NC(KC)~~ [Considered individually]

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

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

- Gary Pridavka, 5023 Roger Ave., regarding Zoning Case Z967-180/10262-C(RB)
- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z967-189/10282-SW(CR)
- Robert Reeves, 500 S. Ervay St., regarding Zoning Case Z967-180/10262-C(RB)

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 Councilmember Stimson and unanimously adopted. (Kirk absent on city business; Mayes, Salazar, Lipscomb, Blumer absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1753

Item 50: Zoning Case Z967-171/9841-NC(CR)

The consent zoning docket, consisting of agenda items 50 through 58, was presented.

Mayor Pro Tem Wells requested that consent zoning docket item 50 be removed from the consent zoning docket, to be called as an individual hearing. Mayor Pro Tem Wells stated that consent zoning docket item 50 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to his request.

Later in the meeting consent zoning docket item 50 was brought up for consideration.

A public hearing was called on Zoning Case Z967-171/9841-NC(CR), an application for and an ordinance granting a Planned Development District for certain R-16(A) Single Family District Uses and a Private Street on property presently zoned an R-16(A) Single Family District at the northeast corner of Hughes Lane and Preston Road.

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

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

Mayor Pro Tem Wells moved to postpone consideration of the application until the June 11, 1997 voting agenda meeting of the city council and to continue the public at that time.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk absent on city business; Mayes, Salazar, Lipscomb, Blumer absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1754

Item 51: Zoning Case Z967-180/10262-C(RB)

Zoning Case Z967-180/10262-C(RB), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District Uses and Single Family Uses on property presently zoned an IM Industrial Manufacturing District at the south corner of Willow Street and Hill Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23138.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1755

Item 52: Zoning Case Z967-189/10282-SW(CR)

Zoning Case Z967-189/10282-SW(CR), an application for an MF-2(A) Multifamily District and removal of the Dry Overlay District on property presently zoned an RR Regional Retail District and an RR-D Regional Retail - Dry District at the north corner of Denver Street and Tenth Street, and an ordinance granting an MF-2(A) Multifamily District with the retention of the Dry Overlay District.

(The city plan commission recommended approval of an MF-2(A) Multifamily District, but denial of the removal of the Dry Overlay District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23139.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1756

Item 53: Zoning Case Z967-190/10283-SW(CR)

Zoning Case Z967-190/10283-SW(CR), an application for and an ordinance granting an NS(A) Neighborhood Service District on property presently zoned an NO(A) Neighborhood Office District on the north side of West Kiest Boulevard between Arpege Circle (east) and Arpege Circle (west), 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. 23140.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1757

Item 54: Zoning Case Z967-193/10285-C(KC)

Zoning Case Z967-193/10285-C(KC), an application for and an ordinance granting a Planned Development Subdistrict for Mixed Uses with retention of the Dry Overlay District on property presently zoned an O-2-D Office - Dry Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property bounded by Lemmon Avenue, Lee Parkway, Rawlins Street and Welborn Street.

(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. 23141.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1758

Item 55: Zoning Case Z967-194/6389-NC(KC)

Zoning Case Z967-194/6389-NC(KC), an application for and an ordinance granting an MC-3 Multiple Commercial District on property presently zoned as Planned Development District No. 402 for MC-3 Multiple Commercial District Uses and Auto Related Uses at the northeast corner of Dallas North Tollway and Bent Tree Forest Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23142.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1759

Item 56: Zoning Case Z967-196/2978-SE(KC)

Zoning Case Z967-196/2978-SE(KC), an application for and an ordinance granting an amendment to and the expansion of Specific Use Permit No. 966 for a Private Elementary School (St. Phillips School) to include additional property to be used for administrative offices for the existing school on property presently zoned an MF-2(A) Multifamily District between Pennsylvania Avenue and Panama Place, northeast of Holmes Street.

(The city plan commission recommended approval, subject to a site plan / landscape plan.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23143.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1760

Item 57: Zoning Case Z967-197/10286-C(KC)

Zoning Case Z967-197/10286-C(KC), an application for and an ordinance granting an amendment to Area G within Planned Development District No. 317, the Cedars Area Special Purpose District, to create an Area G-2 to allow multifamily, retail, lodging, and certain institutional uses on an area generally bounded by Alexander Street, Cockrell Street, Powhattan Street and Austin Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23144.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1761

Item 58: Zoning Case Z967-200/10288-NC(KC)

The consent zoning docket, consisting of agenda items 50 through 58, was presented.

Mayor Pro Tem Wells requested that consent zoning docket item 58 be removed from the consent zoning docket, to be called as an individual hearing. Mayor Pro Tem Wells stated that consent zoning docket item 58 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to his request.

Later in the meeting consent zoning docket item 58 was brought up for consideration.

A public hearing was called on Zoning Case Z967-200/10288-NC(KC), an application for and an ordinance granting a Planned Development District for RR Regional Retail District Uses, including a theater and alcoholic beverage establishments by right, and an application to terminate the existing deed restrictions on property located north of Belt Line Road between Dallas North Tollway and Prestonwood Boulevard on property presently zoned an RR Regional Retail District, and a resolution authorizing the acceptance of an instrument terminating the existing deed restrictions.

(The city plan commission recommended approval of a Planned Development District, subject to a development plan and conditions, and approval of the termination of the deed restrictions.)

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

Mayor Pro Tem Wells moved to postpone consideration of the application until the June 11, 1997 voting agenda meeting of the city council and to continue the public at that time.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk absent on city business; Mayes, Salazar, Lipscomb, Blumer absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1762

Item 59: Public Hearing - Zoning Case Z967-109/10199-NW(DW)

A public hearing was called on zoning case Z967-109/10199-NW(DW), an application for and an ordinance granting a Specific Use Permit for an Organic Composting Recycling Facility on property presently zoned an IR Industrial Research District at the north corner of Ansley Avenue and Hawes Street.

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

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

Councilmember McDaniel moved to close the public hearing, modify the recommendation of the city plan commission, approve the application for a one-year time period with eligibility for automatic renewal for additional one-year time periods, subject to a site plan and conditions, and pass the ordinance with those changes.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk absent on city business; Salazar, Lipscomb absent when vote taken)

Assigned ORDINANCE NO. 23145.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1763

Item 60: Public Hearing - Zoning Case Z967-132/10222-NW(DW)

A public hearing was called on zoning case Z967-132/10222-NW(DW), an application for and an ordinance granting a Specific Use Permit for a Commercial Public Amusement (inside) use for a dance hall on property presently zoned a CR Community Retail District at the northeast corner of Bachman Drive and Ovella Avenue.

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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1764

Item 61: Public Hearing - Zoning Case Z967-167/6620-SW(KC)

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. This application was considered by the City Council on May 14, 1997, and was taken under advisement until May 28, 1997 with the public hearing open.)

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

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

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk absent on city business; Salazar, Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1765

Item 62: 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, April 9, 1997, and again on May 14, 1997 and was taken under advisement until May 28, 1997, with the public hearing open.)

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

Councilmember Luna moved to take no action on the application but to return it to the city plan commission with a request that the plan commission specifically review (1) the number of beds to be authorized, (2) whether or not sub-districts could be created since there are multiple buildings, (3) the specific types of use that should be authorized, (4) the parking requirements, depending on the use and the number of beds authorized, (5) the impact on the three elementary schools, Fannin, Kennedy and Chavez, that are within eight blocks of the site, and (6) whether or not deed restrictions can be utilized to address the issues raised by the application, and to continue the public hearing at such time as the city plan commission makes a recommendation to the city council.

Motion seconded by Councilmember Poss and unanimously adopted. (Kirk absent on city business; Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1766

Item 63: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called to authorize an amendment to the Thoroughfare Plan to establish a special cross-section roadway along Good-Latimer Expressway from Bryan Street to Elm Street and to delete the Bryan/Live Oak Crossover from the Thoroughfare Plan and an ordinance implementing this amendment - Financing: No cost consideration to the City

No one addressed the city council regarding the amendment.

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk absent on city business; Salazar absent when vote taken)

Assigned ORDINANCE NO. 23146.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1767

Public Hearing - BENEFIT ASSESSMENTS HEARING

Alley Group 1104

Alley between Berwick Avenue and S. Corinth Street Road from Sussez Avenue to Essex Avenue

Alley between Brighton Avenue and Waverly Drive from Emmett Street to Clarendon Drive

- Item 64: \* Benefit assessment hearing for alley paving, storm drainage, water and wastewater main improvements for the alleys on the attached list
- Item 65: \* Ordinance levying benefit assessments for alley paving, storm drainage, water and wastewater main improvements for the alleys on the attached list - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal levy benefit assessments for alley paving, storm drainage, water and wastewater main improvements for Alley Group 1104.

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

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

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

Assigned ORDINANCE NO. 23147.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1768

Public Hearing - BENEFIT ASSESSMENT HEARING

Alley Group 1106

Alley between Engle Avenue and Illinois Avenue from Rugged Drive to Tennessee Avenue

Alley between Hudspeth Avenue and Kathleen Avenue from Cardinal Drive to Sunnyvale Street

- Item 66: \* Benefit assessment hearing for alley paving, storm drainage and wastewater main improvements for the alleys on the attached list
- Item 67: \* Ordinance levying benefit assessments for alley paving, storm drainage and wastewater main improvements for the alleys on the attached list - 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 and wastewater main improvements for Alley Group 1106.

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

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

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

Assigned ORDINANCE NO. 23148.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1769

Public Hearing - BENEFIT ASSESSMENT HEARING

Kleberg Road from U.S. Highway 175 to Belt Line Road

- Item 68: \* Benefit assessment hearing for sidewalk paving improvements for the above listed street
- Item 69: \* Ordinance levying benefit assessments for sidewalk paving 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 sidewalk paving improvements for Kleberg Road from U.S. Highway 175 to Belt Line Road.

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

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

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

Assigned ORDINANCE NO. 23149.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1770

Public Hearing - BENEFIT ASSESSMENT HEARING

Sidewalk Group 9702

Illinois Avenue from Beckley Avenue to Alabama Avenue  
Overton Road (southeast side only) from Illinois Avenue to Southern Oaks  
Boulevard

- Item 70: \* Benefit assessment hearing for sidewalk paving and water main improvements for sidewalks on the attached list
- Item 71: \* Ordinance levying benefit assessments for sidewalk paving and water main improvements for sidewalks on the attached list
- Item 72: \* Authorize a contract for construction of sidewalk paving and water main improvements for sidewalks on the attached list - Roadway Engineering and Construction, Inc., lowest responsible bidder of seven - \$91,139 - Financing: 1995 Bond Funds (\$80,869), Water Utilities Capital Construction Funds (\$10,270)

A public hearing was called to receive comments on a proposal levy benefit assessments for sidewalk paving and water main improvements for Sidewalk Group 9702.

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

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

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

Assigned ORDINANCE NO. 23150.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1771

Item 73: 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 27, 1997.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for one nominee. The city secretary stated that the report should now show that Dory Wiley meets all qualifications for appointment to the Human Services Commission.

Councilmember Blumer moved to appoint Dory Wiley to the Human Services Commission for a term ending August 31, 1997.

Motion seconded by Councilmember Stimson 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.]

97-1790 HSC HUMAN SERVICES COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1772

Item 74: Authorize approval of the bi-weekly tax action

Councilmember Poss moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1773

Item 75: An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc. for basic service tier and installation and equipment charges, and further calling for implementation of said rates - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Councilmember Hicks.

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

Assigned ORDINANCE NO. 23151.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1774

Item 76: Adoption of the Preliminary FY 1997-98 Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) grant funds in an estimated amount of \$31,863,706 for the following programs and estimated amounts: Community Development Block Grant (\$22,710,706), HOME Investment Partnerships Program (\$5,994,000), Housing Opportunities for Persons with AIDS (\$2,640,000), Emergency Shelter Grant (\$519,000); and the Preliminary FY 1996-97 CDBG Reprogramming Budget #2 in the amount of \$932,576 - Financing: U.S. Department of Housing and Urban Development Grant Funds

The following individual addressed the city council regarding the preliminary FY 1997-98 Consolidated Plan Budget:

-- Maureen Jones, 1136 Woodlawn Ave.

Mayor Pro Tem Wells moved to adopt the Preliminary FY 1997-98 Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) grant funds including the amendments to the proposed budget for which the city council expressed a preference during the workshop held as part of the briefing meeting on May 21, 1997.

Motion seconded by Councilmember Duncan.

Councilmember Luna asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that \$20,000 be added for renovation of the East Dallas Christian Church by reducing the amount proposed for Bachman Lake Park by \$15,000 and by reducing the amount proposed for Cochran Park by \$5,000.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.  
Councilmember Duncan, who seconded the original motion, also accepted the amendment.

Councilmember Luna moved that the \$99,750 in the proposed budget for Skyline Ranch/Pitre Vision that the city manager had informed the city council by memorandum had been deemed ineligible for funding by HUD be budgeted as recommended by the city manager.

Motion seconded by Councilmember Walne.

Councilmember Stimson asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that \$58,000 be added for the Maryfield Park Oak Cliff Little League program by reducing the amount proposed for Kidd Springs Recreation Center floor improvements by \$58,000.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.

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

Councilmember Salazar asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that \$16,000 be added for Winnetka Park and that \$14,000 be added for the Maryfield Park Oak Cliff Little League program by reducing the amount proposed for Bishop Flores Park by \$30,000.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.

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

At the conclusion of debate Mayor Kirk called the vote on Councilmember Luna's amendment regarding use of the \$99,750 in the proposed budget for a project deemed ineligible for funding by HUD.

Voting Yes: [3] Luna, Walne, McDaniel

Voting No: [11] Kirk, Wells, Mayes, Salazar, Stimson, Duncan, Hicks, Mallory Caraway,  
Lipscomb, Poss, Blumer

Mayor Kirk declared the amendment lost.

Councilmember Lipscomb asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that no determination be made at this time regarding the \$99,750 in the proposed budget for a project deemed ineligible for funding by HUD.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.

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

After discussion Mayor Kirk called the vote on Mayor Pro Tem Wells' original motion as modified by the friendly amendments.

Voting Yes: [14] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Poss, Walne, Blumer, McDaniel

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1775

Item 77: An ordinance amending Chapter 45 of the Dallas City Code to allow taxicab company dispatching facilities to be located outside the city of Dallas if located within Collin, Dallas, Denton, or Tarrant Counties (Transportation and Telecommunications Committee)

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

The following individuals addressed the city council regarding Chapter 45 of the Dallas City Code:

- Marvin Crenshaw, 5134 S. Oakland Ave., representing Malcolm X Community Council
- Jim Richards, 1216 Crestview Dr., Hurst Tx., representing Yellow Cab

Councilmember Hicks moved to pass the ordinance.

Motion seconded by Councilmember Mallory Caraway.

After discussion Mayor Kirk called the vote on the motion and declared the motion adopted on a divided voice vote. (Lipscomb abstaining; Duncan absent when vote taken)

Assigned ORDINANCE NO. 23152.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1776

Item 78: 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

Councilmember Stimson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1777

Item 79: 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 for FY 96/97. Maintains current level of funding (\$661,000 per year) for two additional years.

Mayor Pro Tem Wells moved to approve the item.

Motion seconded by Councilmember Poss.

Councilmember Luna moved to amend Mayor Pro Tem Wells' motion to provide that the deadline for the annual funding commitment be extended for an additional three years to fiscal year 2000/2001 rather than an additional two years to fiscal year 1999/2000, and that the deadline to conform to the city's Cultural Policy be changed to the beginning of fiscal year 2001/2002 rather than the beginning of fiscal year 2003/2004.

Motion seconded by Councilmember Hicks.

After discussion Mayor Kirk called the vote on Councilmember Luna's amendment and declared the amendment lost on a divided voice vote.

Mayor Kirk then called the vote on Mayor Pro Tem Wells' original motion and declared the motion adopted on a divided voice vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1778

Item 80: 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)

Councilmember Salazar moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1779

Item 81: 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)

Councilmember Luna moved to approve the version of the resolution previously distributed to the city council and identified as "REVISED (5-23-97)."

Motion seconded by Councilmember McDaniel.

Mayor Kirk asked Councilmember Luna if he would accept a friendly amendment to his motion to strike Section 1 of the resolution, and replace the last sentence of Section 2 with a sentence to read: "The task force will report back to the city council by January 15, 1998."

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

After discussion Mayor Kirk called the vote on Councilmember Luna's motion as modified by the friendly amendment.

Mayor Kirk declared the motion as modified by the friendly amendment adopted on a divided voice vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1780

Item 82: 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

Deputy Mayor Pro Tem Mayes moved to approve the resolution.

Motion seconded by Councilmember Luna.

Councilmember Walne asked Deputy Mayor Pro Tem Mayes if she would accept a friendly amendment to her motion to provide that the city manager would perform a review and evaluation of all of the City's existing housing initiatives and programs and report back to the City Council on the effectiveness of the City's existing housing initiatives and programs within 180 days from passage of the resolution, and also provide that the city manager would perform appropriate analyses, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the city council regarding the CDAC Neighborhood Revitalization Task Force Report, in as expeditious a manner as possible and report his recommendations to the City Council within 180 days, and that the city manager would also propose and include an implementation schedule and timeline.

Deputy Mayor Pro Tem Mayes accepted the amendment as a part of her motion.  
Councilmember Luna, who seconded the original motion, also accepted the amendment.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1781

Item 83: 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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1782

Addendum addition 1: Authorize a public hearing to be held on June 11, 1997, to receive citizen comments and authorize Council action on June 11, 1997, on adding Chapter 12, "City Youth Program Standards of Care", to the Dallas City Code, establishing standards of care for youth programs sponsored by the City of Dallas in compliance with State law - Financing: No cost consideration to the City

Mayor Pro Tem Wells moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1783

Addendum addition 2: Authorize the City Manager, or his designee, to enter into a forty (40) year lease, provided certain obligations are satisfied, of approximately 6.22 acres of land, improved with an office building, multiple aircraft storage hangars, ground level automobile parking and aircraft ramp facilities for aviation related purposes, with Frontiers of Flight Museum at Dallas Love Field Airport - Revenue: \$1,000 annual rental plus a minimum of \$5,000,000 in leasehold improvements

Councilmember McDaniel moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Wells, Lipscomb absent when vote taken)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1784

Addendum addition 3: Appointment of the seven directors of the Dallas Facilities Development Authority, Inc.

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

Mayor Pro Tem Wells moved to adopt a resolution appointing the initial seven directors of the Dallas Facilities Development Authority, Inc.

Motion seconded by Deputy Mayor Pro Tem Mayes.

Councilmember Blumer moved to amend Mayor Pro Tem Wells' motion by substituting James P. Graham for Liz Minyard as one of the seven directors.

Motion seconded by Councilmember Mallory Caraway.

After discussion Mayor Kirk called the vote on the amendment and declared the amendment lost on a divided voice vote. (Poss abstaining)

Mayor Kirk then called the vote on Mayor Pro Tem Wells' original motion

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1785

Addendum addition 4: Authorize the City Manager to enter into a contract with ECO Dallas for the exclusive right to lease the White Rock Filter Building and authorize the City Manager to enter into a lease agreement with ECO Dallas if, within five years of contract execution, they demonstrate financial ability to bring the building up to code - Financing: No cost consideration to the City

Councilmember Poss moved to approve the item.

Motion seconded by Councilmember McDaniel and unanimously adopted. (Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1786

Addendum addition 5: Authorize a professional services contract with Johnson/McKibben Architects, Inc. to develop plans and specifications for exterior building improvements under the "Business Facade Improvement Program" administered through the Community Development Neighborhood Renaissance Partnership Program - Not to exceed \$79,000 (to be collected from grant recipients) - Financing: To be received from grant recipients

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember McDaniel and unanimously adopted. (Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1787

Addendum addition 6: Authorize a professional services contract with The National Development Council to provide a three-week, fourteen-day Housing Development Finance Professional Certification program to train and certify city personnel as housing development finance professionals - \$84,000 - Financing: 1996-97 Community Development Grant Funds

Councilmember Luna moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1788

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.

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.
- Legal issues regarding agenda item No. 49 (Proposed amendments to Sexually Oriented Businesses Ordinance)
- Legal issues regarding agenda item No. 81 (Specific Use Permits for Public Schools)

The posted executive session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1789

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 28, 1997

97-1700

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

PRESENT: [14] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Poss, Walne, Blumer, McDaniel

ABSENT: [0]

VACANT: [1]Place 11

CORRECTIONS TO THE MINUTES

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1765

Item 62: 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, April 9, 1997, and again on May 14, 1997 and was taken under advisement until May 28, 1997, with the public hearing open.)

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

Councilmember Luna moved to take no action on the application but to return it to the city plan commission with a request that the plan commission specifically review (1) the number of beds to be authorized, (2) whether or not sub-districts could be created since there are multiple buildings, (3) the specific types of use that should be authorized, (4) the parking requirements, depending on the use and the number of beds authorized, (5) the impact on the three elementary schools, Fannin, Kennedy and Chavez, that are within eight blocks of the site, and (6) whether or not deed restrictions can be utilized to address the issues raised by the application, and to continue the public hearing at such time as the city plan commission makes a recommendation to the city council.

Motion seconded by Councilmember Poss [~~PoH~~] and unanimously adopted. (Kirk absent on city business; Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1780

Item 82: 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

Deputy Mayor Pro Tem Mayes moved to approve the resolution.

Motion seconded by Councilmember Luna [~~McDaniel~~].

Councilmember Walne asked Deputy Mayor Pro Tem Mayes if she would accept a friendly amendment to her motion to provide that the city manager would perform a review and evaluation of all of the City's existing housing initiatives and programs and report back to the City Council on the effectiveness of the City's existing housing initiatives and programs within 180 days from passage of the resolution, and also provide that the city manager would perform appropriate analyses, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the city council regarding the CDAC Neighborhood Revitalization Task Force Report, in as expeditious a manner as possible and report his recommendations to the City Council within 180 days, and that the city manager would also propose and include an implementation schedule and timeline.

Deputy Mayor Pro Tem Mayes accepted the amendment as a part of her motion.  
Councilmember Luna, who seconded the original motion, also accepted the amendment.

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

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1773

Item 75: An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc. for basic service tier and installation and equipment charges, and further calling for implementation of said rates - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Councilmember Hicks.

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

Assigned ORDINANCE NO. 23151.

**The ordinance as filed with the city secretary did not have a caption. The ordinance had not been published as of: June 3, 1997 (11:43am)  
Ordinance with caption received June 4, 1997 (1:42pm)  
Ordinance published June 4, 1997.**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1774

Item 76: Adoption of the Preliminary FY 1997-98 Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) grant funds in an estimated amount of \$31,863,706 for the following programs and estimated amounts: Community Development Block Grant (\$22,710,706), HOME Investment Partnerships Program (\$5,994,000), Housing Opportunities for Persons with AIDS (\$2,640,000), Emergency Shelter Grant (\$519,000); and the Preliminary FY 1996-97 CDBG Reprogramming Budget #2 in the amount of \$932,576 - Financing: U.S. Department of Housing and Urban Development Grant Funds

The following individual addressed the city council regarding the preliminary FY 1997-98 Consolidated Plan Budget:

-- Maureen Jones, 1136 Woodlawn Ave.

Mayor Pro Tem Wells moved to adopt the Preliminary FY 1997-98 Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) grant funds including the amendments to the proposed budget for which the city council expressed a preference during the workshop held as part of the briefing meeting on May 21, 1997.

Motion seconded by Councilmember Duncan.

Councilmember Luna asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that \$20,000 be added for renovation of the East Dallas Christian Church by reducing the amount proposed for Bachman Lake Park by \$15,000 and by reducing the amount proposed for Cochran Park by \$5,000.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.  
Councilmember Duncan, who seconded the original motion, also accepted the amendment.

Councilmember Luna moved that the \$99,750 in the proposed budget for Skyline Ranch/Pitre Vision that the city manager had informed the city council by memorandum had been deemed ineligible for funding by HUD be budgeted as recommended by the city manager.

Motion seconded by Councilmember Walne.

Councilmember Stimson asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that \$58,000 be added for the Maryfield Park Oak Cliff Little League program by reducing the amount proposed for Kidd Springs Recreation Center floor improvements by \$58,000.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.

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

Councilmember Salazar asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that \$16,000 be added for Winnetka Park and that \$14,000 be added for the Maryfield Park Oak Cliff Little League program by reducing the amount proposed for Bishop Flores Park by \$30,000.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.

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

At the conclusion of debate Mayor Kirk called the vote on Councilmember Luna's amendment regarding use of the \$99,750 in the proposed budget for a project deemed ineligible for funding by HUD.

Voting Yes: [3] Luna, Walne, McDaniel

Voting No: [11] Kirk, Wells, Mayes, Salazar, Stimson, Duncan, Hicks, Mallory Caraway,  
Lipscomb, Poss, Blumer

Mayor Kirk declared the amendment lost.

Councilmember Lipscomb asked Mayor Pro Tem Wells he would accept a friendly amendment to his motion to provide that no determination be made at this time regarding the \$99,750 in the proposed budget for a project deemed ineligible for funding by HUD.

Mayor Pro Tem Wells accepted the amendment as a part of his motion.

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

After discussion Mayor Kirk called the vote on Mayor Pro Tem Wells' original motion as modified by the friendly amendments.

Voting Yes: [14] Kirk, Wells, Mayes, Salazar, Luna, Stimson, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Poss, Walne, Blumer, McDaniel

Voting No: [0]

Mayor Kirk declared the motion adopted.

**The resolution to support this agenda item was amended by the city council at the time it was considered. The amended version of the resolution had not been received in the city secretary's office as of: June 3, 1997 (11:46am)**



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 28, 1997

97-1779

Item 81: 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)

Councilmember Luna moved to approve the version of the resolution previously distributed to the city council and identified as "REVISED (5-23-97)."

Motion seconded by Councilmember McDaniel.

Mayor Kirk asked Councilmember Luna if he would accept a friendly amendment to his motion to strike Section 1 of the resolution, and replace the last sentence of Section 2 with a sentence to read: "The task force will report back to the city council by January 15, 1998."

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

After discussion Mayor Kirk called the vote on Councilmember Luna's motion as modified by the friendly amendment.

Mayor Kirk declared the motion as modified by the friendly amendment adopted on a divided voice vote.

**The resolution to support this agenda item was amended by the city council at the time it was considered. The amended version of the resolution had not been received in the city secretary's office as of: June 3, 1997 (11:46am)**

