

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 13, 1997

97-2400

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [0]

The meeting was called to order at 9:17 a.m.

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

The invocation was given by the Rev. Josh Guajardo, pastor, First Baptist Church of Urbandale.

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

After all business properly brought before the city council had been considered the city council adjourned at 2:47 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, AUGUST 13, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 13, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2401

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 Prestonview Blvd.
REPRESENTING: Forty Acres and a Mule
SUBJECT: 14-1 vs. Mayor

SPEAKER: Dwayne Dallas, 6266 St. Albans Dr.
SUBJECT: Observation and expectation

SPEAKER: Linda Bates, 1311 W. Wheatland Rd.
SUBJECT: City issues

SPEAKER: Shirley Davidson, 123 Deepwood St.
SUBJECT: Illegal dumping

SPEAKER: Harold Cox, 7415 Ridgewick St.
SUBJECT: Zoning issues

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: President Clinton/K.K.K./Federal government

SPEAKER: Ed Fritz, 4011 N. Hall St.
SUBJECT: Area crime

SPEAKER: Marvin Crenshaw, 5134 S. Oakland Ave.
REPRESENTING: Malcolm X Community Council
SUBJECT: Importance of Malcolm X Blvd.

SPEAKER: Gene Ruckle, 7825 Blackbird Ln.
SUBJECT: Mortgage Assistant Program

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Dallas Community Television Board

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2402

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of June 11, 1997 and the briefing meeting of June 18, 1997, were presented for approval.

Councilmember Mayes moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Hicks, Forsythe Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2403

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-107, was presented for consideration.

The city secretary announced that notice had been given in an addendum to the agenda that consent agenda item 42 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 Greyson requested that consent agenda items 9 and 103 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 9 and 103 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Hicks requested that consent agenda items 34 and 85 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 34 and 85 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hick's request.

Councilmember Stimson requested that consent agenda item 72 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 72 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Stimson's request.

The following individuals appeared to comment on consent agenda items:

- Elsie Risby, 2900 Dilido Rd., concerning consent agenda items 2 through 107.
- Kenneth Couch, 6800 Arapaho Rd., concerning consent agenda item 41.
- Kearby Swofford, 814 Liberty St., concerning consent agenda item 49.

Councilmember Lipscomb moved to approve all items on the consent agenda with the exception of items 42 which had been deleted on the addendum to the agenda, and items 9, 34, 72, 85 and 103 which would be considered later in the meeting as individual items.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2404

Item 2: Authorize professional services contracts with AAE, Inc. Architects to provide design services for restoration to the band shell and for structural stabilization of the maintenance building at Fair Park and for a new restroom facility and an equipment/maintenance barn at Samuell Farm (\$86,375) and with Newman, Jackson, Bieberstein to provide design services for site improvements at Katie Jackson Park (\$40,579) - \$126,954 - Financing: 1995 Bond Funds (\$86,979) and Samuell Trust Funds (\$39,975)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2405

Item 3: Authorize a professional services contract with Chiang, Patel and Yerby, Inc. to provide engineering services for the Bachman Water Treatment Plant, Stage II Improvements - \$1,798,700 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2406

Item 4: Authorize a professional services contract with Dunaway Associates, Inc. for the preparation of a drainage study to analyze the existing drainage system and identify the flooding problems and recommend alternate solutions for the Paloduro and Rand Street area - \$43,961 - Financing: 1994-95 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2407

Item 5: Authorize a contract for improvements to the Aquarium Annex and Aquarium Entry Portico in Fair Park - Landmark Interior Builders, Inc., lowest responsible bidder of three - \$212,855 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2408

Item 6: Authorize a contract for erosion control at Martin Weiss Park - Linder-Stahl Construction Company, Inc., lowest responsible bidder of three - \$187,483 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2409

Item 7: Authorize a contract for the renovation of the clubhouse at Grover C. Keeton Golf Course - Southcrest Corporation, lowest responsible bidder of four - \$455,859 - Financing: Golf Improvement Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2410

Item 8: Authorize a contract for the construction of sidewalks, drinking fountain and replacement of a park pavilion at Lindsley Park - Randall & Blake, Inc., lowest responsible bidder of three - \$235,417 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2411

Item 9: Authorize a contract for the construction of street paving, storm drainage, and water main improvements for Frankford Road from Renaissance to Marsh Lane - Ed Bell Construction Company, lowest responsible bidder of six - \$1,387,746 - Financing: 1995 Bond Funds (\$1,151,846), Water Utilities Capital Construction Funds (\$235,900)

At the time the consent agenda was presented for discussion Councilmember Greyson requested that consent agenda item 9 be considered as an individual item. Mayor Kirk stated that consent agenda item 9 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

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

Councilmember Greyson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2412

Item 10: Authorize a contract for roof replacement at the Dallas Zoo, Bird and Reptile Building - Castro Roofing of Texas, Inc., lowest responsible bidder of five - \$82,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2413

Item 11: Authorize a contract for the construction of alley paving, storm drainage, water and wastewater main improvements for Alley Group 1104 - V.A. Construction, Inc., lowest responsible bidder of four - \$365,894 - Financing: 1995 Bond Funds (\$111,664), Water Utilities Bond Funds (\$223,330), Water Utilities Capital Construction Funds (\$30,900)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2414

Item 12: Authorize a contract for the construction of alley paving, storm drainage and wastewater main improvements for Alley Group 1106 - Camino Construction, Inc., lowest responsible bidder of five - \$229,301 - Financing: 1995 Bond Funds (\$95,531), Water Utilities Bond Funds (\$127,670), Water Utilities Capital Construction Funds (\$6,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2415

Item 13: Authorize a contract for Asphaltic Concrete Street Rehabilitation Group 1 on miscellaneous streets - Austin Bridge & Road, Inc., lowest responsible bidder of three - \$2,086,686 - Financing: Current Funds (\$2,001,838), Water Utilities Capital Construction Funds (\$84,848)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2416

Item 14: Authorize a contract for Asphaltic Concrete Street Resurfacing Group 3 on four unimproved streets - APAC-Texas, Inc., only bidder - \$152,589 - Financing: 1994-95 Community Development Grant Funds (\$95,600), 1995-96 Community Development Grant Funds (\$48,239), Water Utilities Capital Construction Funds (\$8,750)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2417

Item 15: Authorize a contract for the construction of erosion control improvements for 9801 Royal Lane on Jackson Branch Creek - Craig Olden, Inc., only bidder - \$242,181 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2418

Item 16: Authorize a contract for the construction of bridge improvements to the Commerce Street Bridge at the Trinity River - Architectural Utilities, Inc., lowest responsible bidder of four - \$1,767,030 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2419

Item 17: Authorize a contract for the construction of dredging improvements to White Rock Lake - Oscar Renda Contracting, Inc., lowest responsible bidder of three - \$13,510,220 - Financing: 1995 Bond Funds (\$4,510,220), Water Utilities Bond Funds (\$9,000,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2420

Item 18: Authorize a contract for the replacement of water and wastewater mains in Ellsworth Avenue, Stanford Avenue, Chadbourne Road, Camden Avenue, Prairie View Drive, Tracy Street, Woodall Street, Calvert Street, Lakawana Street, Halifax Street, Chancellor Row, Black Gold Drive, and Central Expressway at Starks Avenue; and replacement of major distribution system valves - Barson Utilities, Inc., lowest responsible bidder of six - \$2,409,942 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2421

Item 19: Authorize an increase in the contract with S. A. Smith Contracting, Inc. to replace a concrete sidewalk on the northeast side of the Convention Center Arena - \$26,813, from \$319,368 to \$346,181 - Financing: Convention Center Expansion Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2422

Item 20: Authorize an increase in the contract with Jay Dee Contractors, Inc. to install a dual liner tunnel system crossing White Rock Creek at Mockingbird Lane for the White Rock Relief Interceptor, Phase III, Part 2 - \$208,119, from \$5,305,290 to \$5,513,409 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2423

Item 21: Authorize calling of a benefit assessment hearing to be held on September 24, 1997 for alley paving and water main improvements on the alley between Amherst Avenue and Lovers Lane from existing pavement to Devonshire Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2424

Item 22: Authorize calling of a benefit assessment hearing to be held on September 24, 1997 for alley paving, storm drainage, and wastewater main improvements on the alley between Clarendon Drive and Ivandell Avenue from McLean Avenue to Coombs Creek Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2425

Item 23: Authorize calling of a benefit assessment hearing to be held on September 24, 1997 for street paving, storm drainage, water and wastewater main improvements on Street Group 422 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2426

Item 24: Authorize calling of a benefit assessment hearing to be held on September 24, 1997 for street paving and storm drainage improvements on Windrock Road from Levelland Road to Hillcrest Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2427

Item 25: Alley between Bickers Street and Life Avenue from Puget Street to Harston Street

- * Authorize alley paving 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

August 13, 1997

97-2428

Item 26: Alley between Bickers Street and Life Avenue from Puget Street to Harston Street

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2429

Item 27: Alley between Edgefield Avenue and Windomere Avenue from Burlington Boulevard to Brooklyn Avenue

- * Authorize alley 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

August 13, 1997

97-2430

Item 28: Alley between Edgefield Avenue and Windomere Avenue from Burlington Boulevard to Brookln 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

August 13, 1997

97-2431

Item 29: Alley Between La Cabeza Drive and La Manga Drive from Spring Creek Road to La Manga Drive

- * Authorize alley paving 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

August 13, 1997

97-2432

Item 30: Alley Between LaCabeza Drive and La Managa Drive from Spring Creek Road to La Manga Drive

- * 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

August 13, 1997

97-2433

Item 31: Street Group 420

- * 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

August 13, 1997

97-2434

Item 32: Street Group 420

- * 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

August 13, 1997

97-2435

Item 33: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Booher Corporation, of approximately 61,844 square feet of land for a drainage easement and 34,078 square feet of land for a temporary working space easement, needed for the Coxville Area Paving and Drainage Improvement Project, located in the vicinity of Lasater and Lawson Roads - \$9,336 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2436

Item 34: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by DART of a tract of land for the construction of DART's Southeast Dallas Transit Center located at Lake June Road near Hawn Freeway - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 34 be considered as an individual item. Mayor Kirk stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hicks' request.

Later in the meeting agenda item 34 was brought up for consideration.

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2437

Item 35: Hispanic Community/Cultural Center

- * Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Heirs at law of Hans Tomanek, of approximately 2,363 square feet of land, improved with a single family dwelling located at the intersection of Cantegral and Lodge Streets. This property is part of the site of the Hispanic Community/Cultural Center - \$36,000 and eligible relocation benefits, not to exceed \$5,250 for tenant-occupied property plus moving expenses - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2438

Item 36: Hispanic Community/Cultural Center

- * Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eichinger, Furtula and Watts Trust, Maria Eichinger Furtula and Marie Elizabeth Furtula, of approximately 7,950 square feet of land located at the intersection of Florence and Cantegral Streets. This property is part of the site of the Hispanic Community/Cultural Center - \$45,700 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2439

Item 37: D-FW International Airport - Noise Mitigation Program

- * Authorize the acceptance of an avigation easement from Kenneth and Catherine Walker over a single-family residential property located at 4149 Astoria Street in the City of Irving, Texas in accordance with provisions of the Sales Guarantee Program associated with the D-FW International Airport Noise Mitigation Program involving property owner sales to third-parties, or in the alternative, authorize acquisition of fee title to the property at 93% of the appraised value in the event no sale occurs and upon retaining the necessary avigation easement, authorize the property acquired to be advertised for sale by sealed bids - \$79,050 - Financing: D-FW International Airport Joint Revenue Bond Funds (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2440

Item 38: D-FW International Airport - Noise Mitigation Program

- * Authorize acquisition of individual aviation easements over 10 residential properties above approximately 1.6 acres of land located in the City of Irving, Texas for D-FW International Airport Expansion project - \$214,000 (\$102,720 in easement acquisition payments and \$111,280 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2441

Item 39: D-FW International Airport - Noise Mitigation Program

- * Authorize settlement in lieu of proceeding to a jury trial for acquisition of approximately 107,550 square feet of land, from Lynn Harbin, Stacey Wright and LuAnn M. Wright, improved with a retail strip shopping center containing a concrete building, gasoline fuel island and storage tanks, signs, and paved parking area, located at 4600 Valley View Lane in Irving, Texas needed for the D-FW International Airport Expansion Project - \$602,000 - 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

August 13, 1997

97-2442

Item 40: D-FW International Airport - Noise Mitigation Program

- * Authorize the sale of seven (7) single-family residential properties to the highest bidders for houses owned by the cities of Dallas and Fort Worth that were acquired in connection with the D-FW International Airport Noise Mitigation Program for the new runway expansion project - Revenue: \$535,456 - proceeds are to be retained by the D-FW International Airport Mitigation Program

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2443

Item 41: Authorize a five (5) year lease, with two five (5) year option periods, of approximately 18,700 square feet of building space, which consists of office and food processing space and 20,532 square feet of land, with Canyon Specialties, Inc. at Dallas Love Field Airport - Revenue: \$48,235 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2444

Item 42: Authorize a one (1) year lease, with four one (1) year option periods, of approximately 1,533 square feet of terminal space, with the Federal Aviation Administration, at Dallas Love Field Airport - Revenue: \$5,273 annually

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2445

Item 43: Authorize the sale by quitclaim deed of 31 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders - Revenue: \$183,506

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2446

Item 44: An ordinance abandoning a portion of alley right-of-way to CHADAC, Ltd., the abutting owner, containing approximately 1,400 square feet of land, located near the intersection of Atlanta Street and Clarence Street, and authorizing the quitclaim - Revenue: \$2,380 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23187.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2447

Item 45: An ordinance amending Ordinance No. 22977 by changing the legal description for the private drive easement dedication located near the intersection of Willis Avenue and Henderson Avenue - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23188.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2448

Item 46: An ordinance abandoning a portion of a utility easement to Mark Langdale, the abutting owner, containing approximately 1,892 square feet of land, located near the intersection of Deloache Avenue and Alva Court and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23189.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2449

Item 47: An ordinance granting a revocable license to Trinity Royal Condominiums for the use of approximately 1,751 square feet of land to use and maintain a fence on portions of Royal Lane and Tory Sound Drive rights-of-way near Abrams Road - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23190.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2450

Item 48: An ordinance abandoning an alley to Dallas Independent School District, the abutting owner, containing approximately 2,421 square feet of land, located near the intersection of Thomas Avenue and Caddo Street, authorizing the quitclaim and providing for the dedication of approximately 4,116 square feet of land needed for street right-of-way - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23191.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2451

Item 49: An ordinance abandoning a portion of Carmel Street right-of-way to Centex Development Company, the abutting owner, containing approximately 2,366 square feet of land, located near the intersection of Bryan Street and Liberty Street, providing for the dedication of approximately 6,154 square feet of land needed for street right-of-way and authorizing for the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23192.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2452

Item 50: An ordinance abandoning portions of two sidewalk and utility easements to Columbus Realty Trust, the abutting owner, containing approximately 330 square feet of land, located near the intersection of Allen Street and State Street and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23193.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2453

Item 51: An ordinance abandoning a portion of Corbin Street right-of-way to Prime Hospitality Corporation, the abutting owner, containing approximately 350 square feet of land located near the intersection of Corbin Street and North Lamar Street, and authorizing the quitclaim - Revenue: \$7,735 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23194.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2454

Item 52: An ordinance abandoning a portion of a water and sanitary sewer easement, and a sanitary sewer easement to H.K. Huie, Jr., the abutting owner, containing approximately 13,358 square feet of land, located near the intersection of Blossomheath Lane and Alpha Road and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23195.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2455

Item 53: An ordinance abandoning an alley right-of-way to Tyler Street Christian Educational Foundation, Inc., and Tyler Street Christian Academy, Inc., the abutting owners, containing approximately 10,000 square feet of land, located near the intersection of Tyler Street and 9th Street, and authorizing the quitclaim - Revenue: \$8,500 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23196.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2456

Item 54: An ordinance granting renewal of a revocable license to The Burlington Northern and Santa Fe Railway Company for approximately 3,000 square feet of land, to use and maintain an existing railroad spur track crossing in Cockrell Hill Road and Westmoreland Road rights-of-way, near their intersection with Ledbetter Drive - Revenue: \$100 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23197.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2457

Item 55: An ordinance granting a private license to Genpark Central Corp. for the use of approximately 3,695 square feet of land to install and maintain a sprinkler system and landscaping on public property located near the intersection of Merit Drive and Churchill Way - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23198.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2458

Item 56: An ordinance granting a private license to J.T. Rogers for the use of approximately 190 square feet of land to construct and maintain a fence on a portion of alley right-of-way near the intersection of Tulane Boulevard and Stichter Avenue - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23199.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2459

Item 57: An ordinance repealing Ordinance No. 16642 and granting a revocable license to Marcus Cable Associate, L.P. for the use of approximately 6,176 square feet of land, in order to install and maintain aerial cables along Wycliff Avenue, Douglas Street, Lemmon Avenue, Kings Road and Knox Street to provide cable television for the Park Cities-
Revenue: \$6,237 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23200.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2460

Item 58: Authorize a sixty month contract for the operation of a baggage cart rental concession at Dallas Love Field Airport with the only bidder - Smarte Carte, Inc. - Revenue: \$1,025 monthly (\$61,500 for sixty months) or 16% of gross revenues, whichever is greater

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2461

Item 59: Authorize a twenty-four month price agreement for electrical supplies with the lowest responsible bidder of four - WESCO Distribution, Inc. - Not to exceed \$3,281,000 - Financing: Water Utilities Current Funds (\$1,720,000), Current Funds (\$1,143,600), Event Services Current Funds (\$250,000), Aviation Current Funds (\$167,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2462

- Item 60. Authorize a thirty-six month multiple award price agreement for overhead door services with the lowest responsible bidders of two - Overhead Door Company of Dallas Commercial, and Overhead Door Company of D/FW - Not to exceed \$333,500 - Financing: Current Funds (\$224,800), Water Utilities Current Funds (\$72,000), Aviation Current Funds (\$24,700), Event Services Current Funds (\$12,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2463

Item 61: Authorize a twelve month price agreement for building glass replacement services with the lowest responsible bidder of five - American Glass Industries - Not to exceed \$106,900 - Financing: Current Funds (\$87,800), Event Services Current Funds (\$12,000), Aviation Current Funds (\$5,900), Water Utilities Current Funds (\$1,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2464

Item 62: Authorize the purchase of one (1) new Aircraft Rescue & Fire Fighting Vehicle (ARFF) with the only bidder - Oshkosh Truck Corporation - Not to exceed \$408,896 - Financing: Aviation Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2465

Item 63: Authorize a purchase agreement for mobile data terminals and mobile data terminal base stations, system design and system implementation through an existing Interlocal Agreement with Houston-Galveston Area Council of Governments (H-GAC) - Not to exceed \$800,000 - Financing: Aviation Capital Reserve Funds (to be reimbursed from future Acquisition Contractual Obligations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2466

Item 64: Authorize a thirty-six month multiple award price agreement for grounds maintenance services for the Fire Department properties with the lowest responsible bidders of four - Forest Hills Lawn Service and VMC Landscape Services, Inc. - Not to exceed \$149,820 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2467

Item 65: Authorize a twelve month price agreement for hay with the only bidder- Hermond Ragland - Not to exceed \$137,581 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2468

Item 66: Authorize a sixty month price agreement for library books and security strips with the lowest responsible bidder of three - Brodart Company - Not to exceed \$5,000,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2469

Item 67: Authorize a sixty month multiple award price agreement for grounds maintenance services at various Park & Recreation properties with the lowest responsible bidders of three - Capo, Inc., Forest Hills Lawn Service, and Reyes Lawn Service - Not to exceed \$2,250,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2470

Item 68: Authorize a twenty-four month price agreement for treated post with the lowest responsible bidder of two - Gordon's Specialties, Inc. - Not to exceed \$78,550 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2471

Item 69: Authorize the purchase of ammunition used by the Police Department with the lowest responsible bidders of eight - C & G Wholesale, GT Distributors, Inc., Precision Delta Corp., Texas State Distributors and Simmons Gun Specialties, Inc. - Not to exceed \$154,743.10 - Financing: Current Funds (\$117,889.56), Texas Higher Education Coordinating Board Funds (\$36,853.54)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2472

Item 70: Authorize a twenty-four month price agreement for traffic signal heads with the lowest responsible bidder of five - HI-Tech Signals, Inc. - Not to exceed \$144,966 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2473

Item 71: Authorize a thirty-six month price agreement for anhydrous ammonia with the lowest responsible bidder of two - La Roche Industries, Inc. - Not to exceed \$996,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2474

Item 72: Authorize a thirty-six month price agreement for liquid chlorine delivered in truck loads with the only bidder - DPC Industries, Inc. - Not to exceed \$7,056,000 - Financing: Water Utilities Current Funds

At the time the consent agenda was presented for discussion Councilmember Stimson requested that consent agenda item 72 be considered as an individual item. Mayor Kirk stated that consent agenda item 72 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Stimson's request.

Later in the meeting agenda item 72 was brought up for consideration.

The following individuals addressed the city council regarding the item.

-- Greg Harthcock, 501 Silver Creek Cir., DeSoto, representing DPC Industries, Inc.

Councilmember Stimson moved to approve the item, but to request the city manager to review the specifications for the price agreement and go out for new bids within a year.

Motion seconded by Councilmember Blumer.

Councilmember Hicks moved to substitute for Councilmember Stimson's motion a motion to reject all bids for the price agreement.

Motion seconded by Councilmember Mallory Caraway.

After discussion Mayor Kirk called the vote on Councilmember Hicks' substitute motion, and declared the substitute motion unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2475

Item 73: Authorize the repair of three (3) sludge application tractors with the lowest responsible bidder of two - Mitchell & Bourland, Inc. - Not to exceed \$62,211 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2476

Item 74: Authorize payment of a judgement in a lawsuit styled, Pauline Hunt v. City of Dallas, Cause of Action Number 141-147057-93, in the 141st Judicial District Court of Tarrant County, Texas - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2477

Item 75: Ratify payment of a judgment in a lawsuit styled, Richard Kirks, et al. v. City of Dallas, et al., Cause of Action Number 3:90-CV-1118-T, in the United States District Court for the Northern District of Texas, Dallas Division - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2478

Item 76: Authorize settlement of a lawsuit styled, George Rosas v. Terrance Davis and the City of Dallas, Cause No. 97-2791-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2479

Item 77: Authorize settlement of a lawsuit styled, Homero Cruz v. Donald K. Foreman and City of Dallas, Cause No. cc-96-4595-e - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2480

Item 78: Authorize settlement of a lawsuit styled, Jesus Tovar v. City of Dallas and Carlos Castro Pacheco, Cause No. 96-01439-M - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2481

Item 79: Authorize settlement of a lawsuit styled, James Carlton Helms, Jr. v. City of Dallas, Cause No. 96-03962-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2482

Item 80: Authorize settlement of a lawsuit styled, Carol Penn v. City of Dallas and Reeves Steel, Inc., Cause No. 96-02926-K - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2483

Item 81: Authorize settlement of a lawsuit styled, Orbra Norman, Jr. and Levie Smith v. Alfred Lee James and City of Dallas, Cause No. 93-06587-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2484

Item 82: Authorize settlement of a lawsuit styled, Shirley Bolding v. City of Dallas, Cause No. 96-06233-I - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2485

Item 83: Authorize settlement of a lawsuit styled, Oscar Renda Contracting, Inc. v. City of Dallas, Cause No. 94-02876-M, Cause No. 95-03989-D and Civil Action No. 3:95CV1443-D- Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2486

Item 84: Authorize a public hearing to be held on August 27, 1997 to receive citizen comments on the proposed FY 1997-98 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2487

Item 85: Authorize a public hearing to be held on August 27, 1997, to receive citizen comments concerning the nomination of three areas within the City of Dallas as proposed enterprise zones, in preparation for the submission of an application by Economic Development Department to the Texas Department of Commerce for state designation of three enterprise zones in September 1997 - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 85 be considered as an individual item. Mayor Kirk stated that consent agenda item 85 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hicks' request.

Later in the meeting agenda item 85 was brought up for consideration.

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2488

Item 86: Authorize a public hearing to be held on September 10, 1997, to receive citizen comments on the establishment of an assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of 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. 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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2489

Item 87: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of August 13, 1997 through December 31, 2004, with For Keep's Sake, Inc., located at 2520 Martin Luther King Blvd., Dallas, Texas. The request is for operating capital for start-up cost of an Infant and Toddler Center for the purpose of early child care and preschool educational facility in an under served area of the City. - Not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2490

Item 88: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of August 13, 1997 through December 31, 2004, with Jaime Tamayo dba East Grand Avenue Bazaar located at 5115 East Grand Avenue, Dallas, Texas. The economic development grant request is for construction and finish out of the business facility in an under served area of the City.
- Not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2491

Item 89: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of August 13, 1997 through December 31, 2004, with C. L. Settles, dba The Emma Settles Business Complex, located at 800 South Beckley, Dallas, Texas. The request is for working capital, development and finish out of the business complex, and for the expansion of business development in an under served area of the City. - Not to exceed \$42,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2492

Item 90: Authorize an amendment to the annual taxicab operating authority of Choice Cabs, Inc. to increase its authorized fleet by 58 vehicles from 202 to 260 - Revenue: \$14,500 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2493

Item 91: Authorize application for and acceptance of funds from the Texas Natural Resource Conservation Commission (TNRCC) to continue the City of Dallas Air Pollution Control Program for the period October 1, 1997 through September 30, 1998 and execution of the grant agreement - \$175,138 - Financing: Texas Natural Resource Conservation Commission Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2494

Item 92: Authorize application for and acceptance of funds from the Texas Natural Resource Conservation Commission to reimburse costs associated with providing air pollution control services for the period September 1, 1997 through August 31, 1998 and execution of the grant agreement - \$247,806 - Financing: Texas Natural Resource Conservation Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2495

Item 93: Authorize a contract with the Texas Department of Health to enforce state and federal asbestos demolition and renovation regulations within the city limits for the period September 1, 1997 through August 31, 1998 - \$99,265 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2496

Item 94: Authorize a contract with the Texas Department of Health for continuing local health services including core services for maternal and child health; community and rural health services; and services to non-Medicaid eligible clients through Title V for the period September 1, 1997, through August 31, 1998 - \$403,063 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2497

Item 95: Authorize the payment of certification and testing fees to the Texas State Commission on Fire Protection for the appropriate certification levels of each uniformed Fire Department employee - Not to exceed \$35,350 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2498

Item 96: Authorize a two year contract with El Centro Community College for reimbursement to the City Fire Department for training cost for the period September 1, 1997 through August 31, 1999 - Revenue: \$200,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2499

Item 97: Authorize a contract renewal with the University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director - Not to exceed \$117,370 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2500

Item 98: Authorize a contract renewal with the University of Texas Southwestern Medical Center at Dallas for mandatory in-service training, retraining, and evaluation of City of Dallas Paramedic personnel - Not to exceed \$376,660 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2501

Item 99: Authorize the expenditure of funds for tuition to the Dallas County Community College District for mandatory Emergency Medical Services training of Emergency Medical Technicians (EMT) and Paramedics for the period October 1, 1997 through September 30, 1998 - Not to exceed \$121,850 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2502

Item 100: Authorize the expenditure of funds for Emergency Medical Technician (EMT) and Paramedic certification and recertification fees - Texas Department of Health (TDH) - Not to exceed \$15,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2503

Item 101: Authorize application for and acceptance of a supplement to the Commercial Auto Theft Interdiction Squad/4 grant to combat auto theft from the state's Automobile Theft Prevention Authority for the period September 1, 1996 through August 31, 1997 and execution of the grant agreement - \$14,135, from \$600,000 to \$614,135 - Financing: 1996-97 State Automobile Theft Prevention Authority Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2504

Item 102: Authorize application for and acceptance of a continuation law enforcement-related grant entitled Commercial Auto Theft Interdiction Squad/5 for a program which aids in solving crimes from the Automobile Theft Prevention Authority and execution of the grant agreement - Not to exceed \$652,004 - Financing: 1997-98 State Automobile Theft Prevention Authority Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2505

Item 103: Authorize an Interlocal Agreement with the Dallas County Criminal District Attorney's Office for the City's participation in the Dallas County Domestic Violence Project grant for the period August 13, 1997 through February 13, 1999, and allowing reimbursement to the City for salaries, benefits and equipment involved in the project in an amount not to exceed \$173,567 - Financing: U. S. Department of Justice Grant Funds Awarded to Dallas County

At the time the consent agenda was presented for discussion Councilmember Greyson requested that consent agenda item 103 be considered as an individual item. Mayor Kirk stated that consent agenda item 103 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting agenda item 103 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2506

Item 104: An ordinance authorizing a correction to the rear yard setback requirement in Subsection (f)(2)(D) of Section 2 in Ordinance No. 23177 which established Planned Development District No. 474 for certain R-16(A) single family district uses and a private street on property at the northeast corner of Preston Road and Hughes Lane (Z967-171/9841-NC(CR) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23201.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2507

Item 105: Authorize a replacement housing payment to homeowner Fay Lois Curry as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$22,500 - Financing: 1994-95 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2508

Item 106: Authorize a replacement housing payment to homeowner Dora Jones as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$22,500 - Financing: 1994-95 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2509

Item 107: Authorize an Advance Funding Agreement with the Texas Department of Transportation for the relocation and improvements of water and wastewater mains in advance of paving Harry Hines Boulevard (Loop 354) from Walnut Hill Lane to Royal Lane - \$5,966,036 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2510

Item 108: Public Hearing

A public hearing was called to receive citizen comments to authorize an amendment to the CBD Streets and Vehicular Circulation Plan to delete one northbound lane on Olive Street from Bryan Street to Live Oak Street and to delete one westbound lane on Live Oak Street from Harwood Street to Olive Street - Financing: No cost consideration to the City.

No one addressed the city council regarding the amendment.

Councilmember Loza moved to close the public hearing and authorize the amendment.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk, Hicks, Lipscomb, Forsythe Lill absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2511

Item 109: Public Hearing

A public hearing was called to receive citizen comments to authorize an amendment to the Thoroughfare Plan to establish a special cross-section for Hall Street from Central Expressway to Flora Street - Financing: No cost consideration to the City.

No one addressed the city council regarding the amendment.

Councilmember Forsythe Lill moved to close the public hearing and authorize the amendment.

Motion seconded by Deputy Mayor Pro Tem Salazar.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2512

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 110-123 was presented.

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

- Agenda item 110: Zoning Case Z967-130/10221-C(DW)
- Agenda item 111: Zoning Case Z967-138/10226-NE(CR)
- Agenda item 112: Zoning Case Z967-158/10235-NW(RB)
- Agenda item 113: Zoning Case Z967-217/1573-NC(KC)
- Agenda item 114: Zoning Case Z967-218/9482-SE(KC)
- Agenda item 115: Zoning Case Z967-220/9894-SW(RB)
- Agenda item 116: Zoning Case Z967-227/5382-SWRB)
- Agenda item 117: Zoning Case Z967-230/10314-SE(RB)
- Agenda item 118: Zoning Case Z967-231/10326-SW(RB)
- Agenda item 119: Zoning Case Z967-232/10327-NC(RB)
- ~~Agenda item 120: Zoning Case Z967-236/10330-NE(CR)~~ [Considered individually]
- Agenda item 121: Zoning Case Z967-237/10103-NE(CR)
- Agenda item 122: Zoning Case Z967-239/10328-NC(CR)
- ~~Agenda item 123: Zoning Case Z967-244/10333-SE(LS)~~ [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:

- Fred Potter, 7460 Westmoreland Rd., regarding Zoning Case Z967-231/10326-SW(RB)
- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z967-218/9482-SE(KC)
- John Cassils, 3095 Point Grey Rd., Vancouver, Canada, regarding Zoning Case Z967-231/10326-SW(RB)
- Jeff Weimer, 4301 Westside Dr., regarding Zoning Case Z967-158/10235-NW(RB)

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2513

Item 110: Zoning Case Z967-130/10221-C(DW)

Zoning Case Z967-130/1022-C(DW), an application for and an ordinance granting an MF-2(A) Multifamily District with the retention of Historic Overlay District No. 72 on property presently zoned an R-7.5(A)-H/72 Single Family District with Historic Overlay District No. 72 for the Peak Suburban Addition on the southeast side of Swiss Avenue, northeast of Grigsby 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. 23202.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2514

Item 111: Zoning Case Z967-138/10226-NE(CR)

Zoning Case Z967-138/10226-NE(CR), an application for and an ordinance granting a Planned Development District for certain MF-1(A) Multifamily District Uses on property presently zoned an NO(A) Neighborhood Office District on the south side of Forest Lane, west of Meadowknoll Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23203.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2515

Item 112: Zoning Case Z967-158/10235-NW(RB)

Zoning Case Z967-158/10235-NW(RB), an application for and an ordinance granting a Planned Development District for CR Community Retail District Uses on property presently zoned a CR Community Retail District bounded by Inwood Road, West Lovers Lane, Greenway Boulevard, and Boaz Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23204.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2516

Item 113: Zoning Case Z967-217/1573-NC(KC)

Zoning Case Z967-217/1573-NC(KC), an application for and an ordinance granting an amendment to Specific Use Permit No. 289 for a Day School to change the name of the use to a Child-care facility and to include the additional use of a Private School (Children's World Learning Centers, Inc.) on property presently zoned an R-7.5(A) Single Family District at the southeast corner of Arapaho Road and Spring Creek Road.

(The city plan commission recommended approval, subject to amended plans and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23205.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2517

Item 114: Zoning Case Z967-218/9482-SW(KC)

Zoning Case Z967-218/9482-SW(KC), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned as Planned Development District No. 388 for Residential and Neighborhood Serving Retail and Commercial Uses with Historic Overlay District No. 60 for the Tenth Street Neighborhood at the northeast corner of Eleventh Street and Fleming Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23206.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2518

Item 115: Zoning Case Z967-220/9895-SW(RB)

Zoning Case Z967-220/9895-SW(RB), an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 428 for CR-D Community Retail-Dry District Uses at the southwest corner of Hampton Road and Wentworth Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23207.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2519

Item 116: Zoning Case Z967-227/5382-SW(RB)

Zoning Case Z967-227/5382-SW(RB), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1193 for a Community Service Center and Private School and to expand Specific Use Permit No. 1193 to include property presently zoned an MF-2(A)-D Multifamily-Dry District on property on both sides of Tenth Street between Cumberland Street and Storey Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23208.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2520

Item 117: Zoning Case Z967-230/10314-SE(RB)

Zoning Case Z967-230/10314-SE(RB), an application for and an ordinance granting a P(A) Parking District on property presently zoned an R-7.5(A) Single Family District on the west side of Beeman Avenue, north of Culver Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23209.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2521

Item 118: Zoning Case Z967-231/10326-SW(RB)

Zoning Case Z967-231/10326-SW(RB), an application for and an ordinance granting a Specific Use Permit for a Private Club-Bar on property presently zoned an MU-2 Mixed Use District at the north corner of Westmoreland Road and Gannon Lane.

(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.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23210.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2522

Item 119: Zoning Case Z967-232/10327-NC(RB)

Zoning Case Z967-232/10327-NC(RB), an application for and an ordinance granting a Specific Use Permit for a Private School (the Andrew Austin School) on property presently zoned an R-10(A) Single Family District on the east side of Webb Chapel Road, north of Timberview Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23211.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2523

Item 120: Zoning Case Z967-236/10330-NE(CR)

The consent zoning docket, consisting of agenda items 110 through 123, was presented.

Cherryl J. Peterman, director of planning, requested that consent zoning docket item 120 be removed from the consent zoning docket, to be called as an individual hearing.

Mayor Kirk stated that consent zoning docket item 120 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

Later in the meeting consent zoning docket item 120 was brought up for consideration.

A public hearing was called on consent zoning docket item 120, zoning case Z967-236/10330-NE(CR), an application for and an ordinance granting a Planned Development District for certain CR Community Retail District Uses and a Multifamily Use on property presently zoned a CR Community Retail District at the north corner of East Lovers Lane and Argo Street.

(The city plan commission recommended approval, subject to a development plan and conditions, and further subject to the addition of a Standard Affordable Housing density component.)

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

Mayor Pro Tem Poss moved to close the public hearing, modify the recommendation of the city plan commission, approve the application subject to the deletion of the commercial amusement (inside) use from the list of permitted uses and making all necessary adjustments to the ordinance as a result of the deletion, and pass the ordinance with that change.

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

Assigned ORDINANCE NO. 23212.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2524

Item 121: Zoning Case Z967-237/10103-NE(CR)

Zoning Case Z967-237/10103-NE(CR), an application for and an ordinance granting an amendment to the boundaries of Planned Development District No. 454 for Mini-warehouse, Outside Storage and MU-2(SAH) Mixed Use (Standard Affordable Housing) District Uses by removing a 425 square foot tract of land from one portion of Planned Development District No. 454 and rezoning it an MU-2 Mixed Use District, and adding a 626 square foot tract to Planned Development District No. 454 on property that is presently zoned an MU-2 Mixed Use District located east of Greenville Avenue and north of Walnut Hill Lane.

(The city plan commission recommended approval, subject to the amended development plan and landscape plan for Planned Development District No. 454.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23213. (The ordinance granting an amendment to the boundaries of Planned Development District No. 454)

Assigned ORDINANCE NO. 23222. (An ordinance rezoning a tract formerly in Planned Development District No. 454 to an MU-2 Mixed Use District)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2525

Item 122: Zoning Case Z967-239/10328-NC(CR)

Zoning Case Z967-239/10328-NC(CR), an application for and an ordinance granting an NO(A) Neighborhood Office District on property presently zoned an MF-1(A) Multifamily District on the north side of Alpha Road, west of Montfort Drive .

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23214.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2526

Item 123: Zoning Case Z967-244/10333-SE(LS)

The consent zoning docket, consisting of agenda items 110-123 was presented.

Councilmember Hicks requested that consent zoning docket item 123 be removed from the consent zoning docket, to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 123 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to Councilmember Hicks' request.

Later in the meeting consent zoning docket item 123 was brought up for consideration.

A public hearing was called on zoning case Z967-244/10333-SE(LS), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District on the west side of St. Augustine Road, north of Elam Road.

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

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

Assigned ORDINANCE NO. 23215.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2527

Item 124: Public Hearing - Zoning Case Z967-132/10222-NW(DW)

Zoning Case Z967-132/10222-NW(DW), an application for and an ordinance granting a Specific Use Permit for a Commercial 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.

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2528

Item 125: Public Hearing - Zoning Case Z967-185/2995-C(RB)

A public hearing was called on zoning case Z967-185/2995-C(RB), an application for and an ordinance granting an amendment to Planned Development District No. 148 for Office and Residential Uses by providing the flexibility of an alternative development plan that would permit MF-3 Multifamily District uses at the north corner of Fairmount Avenue and Enid Street.

(The city plan commission recommended approval, subject to amended plans and conditions.)

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

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

- Sharon Boyd, 2725 Hood St.
- Mark Shekter, 3528 Routh St.

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

- Kirk Williams, 5400 Renaissance Tower, representing the applicant, M. Myers Development, Inc.

Councilmember Forsythe Lill moved to close the public hearing, modify the recommendation of the city plan commission, approve the application with the following changes:

A minimum of 298 offstreet parking spaces must be provided, with no additional parking on Routh Street

The maximum structure height for the first 60 feet of the property fronting Routh Street will be 70 feet at the north corner of the property sloping down to a height of 80 feet at the corner of Enid Street and Routh Street, as shown on an elevation drawing to be provided by the applicant. In all other cases the maximum structure height is 105 feet

Revise the building setback along Routh Street to 32 feet

Revise the building setback along Fairmount Street to 10 feet

Revise landscape plan B to include the addition of ten evergreen trees with a minimum six-inch caliper and planted within the required front yard along Routh Street

and to bring back for city council approval at a later date a revised Development Plan B, a revised Landscape Plan B and the ordinance granting the zoning.

Motion seconded by Councilmember Duncan.

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

Voting Yes: [15] Kirk, Poss, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2529

Item 126: Public Hearing - Zoning Case Z967-195/10284-SE(KC)

A public hearing was called on zoning case Z967-195/10284-SE(KC), an application for a Specific Use Permit for a Child Care Facility on property presently zoned an R-5(A) Single Family District on the southeast side of Hastings Street, northeast of Myrtle Street.

(The city plan commission recommended denial. This application was considered by the City Council on June 11, 1997, and was taken under advisement until August 13, 1997 with the public hearing open.)

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

Councilmember Mayes moved to close the public hearing, accept the recommendation of the city plan commission, and deny the application.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2530

Item 127: Public Hearing - Zoning Case Z967-202/10291-NW(RB)

A public hearing was called on zoning case Z967-202/10291-NW(RB), an application for and an ordinance granting a Specific Use Permit for a Mini-warehouse on property presently zoned an MU-3 Mixed Use District on the west side of Shady Trail, northeast of State Highway 114.

(The city plan commission recommended approval for a permanent time period, subject to a site plan/landscape plan and conditions. This application was considered by the City Council on June 11, 1997, and was taken under advisement until August 13, 1997 with the public hearing open.)

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23216.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2531

Item 128: Public Hearing - DEVELOPMENT CODE AMENDMENT UNDER ADVISEMENT -
INDIVIDUAL

A public hearing was called to receive citizen comments on consideration of an amendment to the Dallas Development Code to revise the regulations governing theaters, and an ordinance implementing the proposal.

(The city plan commission recommended approval. This proposal was considered by the City Council on June 11, 1997, and was taken under advisement until August 13, 1997 with the public hearing open.)

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

- John Rowley, 5543 Winston Ct.
- Randy Hester, 7502 Greenville Ave.

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

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

Motion seconded by Councilmember Duncan.

Councilmember Stimson moved that the pending question be laid on the table.

Motion seconded by Councilmember Lipscomb.

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

- Voting Yes: [11] Kirk, Poss, Salazar, Stimson, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Forsythe Lill
- Voting No: [4] Loza, Duncan, Greyson, Blumer

Mayor Kirk declared the motion to lay the pending question on the table was adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2532

Public Hearing - BENEFIT ASSESSMENT HEARING

Ramona Avenue from Five Mile Drive to Ann Arbor Avenue

- Item 129: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 130: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the street listed above - 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 Ramona Avenue from Five Mile Drive to Ann Arbor Avenue.

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 Councilmember Hicks and unanimously adopted. (Mayes absent when vote taken)

Assigned ORDINANCE NO. 23217.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2533

Public Hearing - BENEFIT ASSESSMENT HEARING

Seevers Avenue from McVey Avenue to Brownlee Avenue

Item 131: * Benefit assessment hearing for street paving improvements for the street listed above

Item 132: * Ordinance levying benefit assessments for street paving improvements for the street listed above - 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 improvements for Seevers Avenue from McVey Avenue to Brownlee Avenue.

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 Councilmember Finkelman and unanimously adopted. (Mayes absent when vote taken)

Assigned ORDINANCE NO. 23218.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2534

Public Hearing - BENEFIT ASSESSMENT HEARING

Wheatland Road from Mountain Creek Parkway to 490 feet west of County View Road
Phase II

- Item 133: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 134: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 135: * Authorize a contract for construction of street paving, storm drainage, water and wastewater main improvements for the street listed above - East Texas Construction Co. - lowest responsible bidder of seven - \$996,037 - Financing: 1995 Bond Funds (\$991,543), Water Utilities Capital Construction Funds (\$4,494)

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 Wheatland Road from Mountain Creek Parkway to 490 feet west of County View Road Phase II.

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

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

Motion seconded by Councilmember Stimson and unanimously adopted.

Assigned ORDINANCE NO. 23219.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2535

Public Hearing - BENEFIT ASSESSMENT HEARING

Cockrell Hill Road, located north of South Cedar Circle, south of Barstow Boulevard, east of Meadow Nest Drive, and west of South Westmoreland Road

- Item 136: * Benefit assessment hearing for construction of 3,415 feet of new wastewater main for street listed above
- Item 137: * Ordinance levying benefit assessments for construction of 3,415 feet of wastewater main for street listed above
- Item 138: * Authorize a contract for the construction of new wastewater mains in Cockrell Hill Road located north of South Cedar Circle, south of Barstow Boulevard, east of Meadow Nest Drive, and west of South Westmoreland Road, Haymarket Road, and I.H. 45 south of Lamar Street - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of six - \$1,435,341 - Financing: Water Utilities Bond Funds

A public hearing was called to receive comments on a proposal to levy benefit assessments for construction of 3,415 feet of new wastewater main for Cockrell Hill Road, located north of South Cedar Circle, south of Barstow Boulevard, east of Meadow Nest Drive, and west of South Westmoreland Road.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23220.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2536

Item 139: 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 all nominations and renominations received for city board and commission appointments for the 1997-1999 board term, updated through August 12, 1997.

The city secretary noted that the report indicated with the notation "OK" that a person nominated or renominated met all qualifications for service. The city secretary also noted that the term for each nominee would begin September 1, 1997 unless the person had been nominated to fill an existing vacancy in which case the person would be appointed to complete the remainder of the 1995-1997 term and all of the 1997-1999 term.

Councilmember Mayes moved to appoint all of the nominees in the report who meet all qualifications for service to the boards and commissions of the city for the two-year term beginning September 1, 1997, and to appoint those persons who have been nominated to fill existing vacancies for the term ending August 31, 1997 and for the two-year term beginning September 1, 1997.

Motion seconded by Councilmember Finkelman and unanimously adopted.

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

97-2251	ASC	ANIMAL SHELTER COMMISSION
97-2252	CAC	CULTURAL AFFAIRS COMMISSION
97-2253	CDC	COMMUNITY DEVELOPMENT COMMISSION
97-2254	CPC	CITY PLAN AND ZONING COMMISSION
97-2255	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
97-2256	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
97-2257	DCT	DALLAS COMMUNITY TELEVISION BOARD
97-2258	EHC	ENVIRONMENTAL HEALTH COMMISSION
97-2259	HSC	HUMAN SERVICES COMMISSION
97-2260	JNC	JUDICIAL NOMINATING COMMISSION
97-2261	LMC	LANDMARK COMMISSION
97-2262	MLB	MUNICIPAL LIBRARY BOARD
97-2263	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
97-2264	PAR	PARK AND RECREATION BOARD
97-2265	PLA	PERMIT AND LICENSE APPEAL BOARD
97-2266	SAC	SENIOR AFFAIRS COMMISSION
97-2267	SDD	SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD
97-2268	URS	URBAN REHABILITATION STANDARDS BOARD
97-2269	YAC	YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2537

Item 140: Authorize approval of the bi-weekly tax action

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Duncan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2538

Item 141: Authorize the assignment of the Tax Abatement Agreement, executed December 18, 1995, between the City of Dallas and Bronco Bowl Holding, Inc. to Bronco Group, Ltd., a Texas Limited Partnership. Bronco Group, Ltd. will be responsible for compliance of all terms and conditions of the agreement - Financing: No cost consideration to the City

Councilmember Stimson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2539

Item 142: Authorize a tangible personal property tax abatement agreement with Union Pacific Corporation and its lessor CGLIC-BOC Limited Partnership and TRST Main, Inc. for the purpose of granting an abatement of taxes on the new tangible personal property to the site in relation to the company's headquarters relocation within an area of the City of Dallas Enterprise Zone Three at 1717 Main Street, Dallas, Texas, 75201 - Financing: No cost consideration to the City - Revenue: First year tax revenue estimated at \$737 - Five-year tax revenue estimated at \$3,685 (Estimated revenue foregone for five-year tangible personal property abatement \$33,170)

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2540

Item 143: Authorize a real property tax abatement agreement with OLY/HKS Limited Partnership for the purpose of granting an abatement of taxes on added value to the real property in relation to the company's relocation to Dallas on property located within an area of the City of Dallas Enterprise Zone Three at 1900 Cedar Springs, Dallas, Texas 75201 - Financing: No cost consideration to the City - Revenue: First year tax revenue estimated at \$2,814 - Ten-year tax revenue estimated at \$28,144 (Estimated revenue foregone for ten-year abatement is \$253,298)

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2541

Item 144: Authorize (i) a real property tax abatement agreement with Eddins Enterprises, Inc. for the purpose of granting an abatement of taxes on added value to the real property, and (ii) a 100% development fee rebate in an amount not to exceed \$15,000 to the site in relation to the company's relocation to Dallas on property located within an area of the City of Dallas Enterprise Zone Three at 2754 Stemmons Freeway, Dallas, Texas 75207 - Not to exceed \$15,000 - Financing: Public/Private Partnership Fund - Revenue: First year tax revenue at \$3,015 - Ten-year tax revenue estimated at \$30,150 (Estimated revenue foregone for ten-year abatement is \$271,390)

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2542

Item 145: An ordinance abandoning a portion of alley right-of-way to Hope Cottage, Inc., Hope Cottage Children's Bureau, Inc., The Permanent Endowment Fund of Hope Cottage - Children's Bureau, Inc., Cottage Properties, Inc., McKinney Building, Inc., and 4209 McKinney Building, Ltd., the abutting owners, containing approximately 3,568 square feet of land, located near the intersection of Fitzhugh Avenue and McKinney Avenue, authorizing the quitclaim and providing for the dedication of approximately 3,844 square feet of land needed for alley right-of-way - Revenue: \$650 plus the \$20 ordinance publication fee

Councilmember Hicks moved to pass the ordinance.

Motion seconded by Councilmember Blumer and unanimously adopted.

Assigned ORDINANCE NO. 23221.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2543

Item 146: Authorize renewal of City of Dallas' membership in the North Central Texas Regional Certification Agency (NCTRCA) for the period January 1, 1997 - December 31, 1997 in the amount of \$33,037 - Financing: Current Funds

Councilmember Lipscomb moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2544

Item 147: 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

Councilmember Finkelman moved postpone consideration of the ordinance until the November 12, 1997 voting agenda meeting of the city council.

Motion seconded by Councilmember Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2545

Addendum addition 1: Authorize the City Manager to enter into a water treatment services contract and a wholesale treated water contract with the City of Irving -
Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2546

Addendum addition 2: Authorize a public hearing to be held on August 27, 1997 to receive citizen comments on the adjustment to water and wastewater fees -
Financing: - No cost consideration to the City

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2547

Addendum addition 3: A resolution authorizing First Southwest Company to obtain an updated financial feasibility analysis and expanded economic impact study for an arena and related downtown redevelopment project - Not to exceed \$50,000 - Financing: Convention Center Current Funds, to be reimbursed from future project funds

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

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Councilmember Loza.

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

Voting Yes: [13] Kirk, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill
Voting No: [1] Blumer
Absent: [1] Poss abstaining

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2548

Addendum addition 4: Authorize a twenty-four month multiple award price agreement for trash removal services and dumpster rental with the lowest responsible bidders of seven - Bluebonnet Waste Control, Inc., Browning Feers, Inc., Laidlaw Waste Systems, and Moore Disposal, Inc. - Not to exceed \$735,258 - Financing: Event Services Current Funds (\$369,655), Current Funds (\$341,011), Water Utilities Current Funds (\$24,592)

The city secretary announced that Mayor Pro Tem Poss had deferred consideration of addendum addition 4 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

August 13, 1997

97-2549

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.

The posted executive session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2550

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, AUGUST 13, 1997

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 13, 1997

97-2400

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

ABSENT: [0]

CORRECTIONS TO THE MINUTES

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 13, 1997

97-2524

Item 121: Zoning Case Z967-237/10103-NE(CR)

Zoning Case Z967-237/10103-NE(CR), an application for and an ordinance granting an amendment to the boundaries of Planned Development District No. 454 for Mini-warehouse, Outside Storage and MU-2(SAH) Mixed Use (Standard Affordable Housing) District Uses by removing a 425 square foot tract of land from one portion of Planned Development District No. 454 and rezoning it an MU-2 Mixed Use District, and adding a 626 square foot tract to Planned Development District No. 454 on property that is presently zoned an MU-2 Mixed Use District located east of Greenville Avenue and north of Walnut Hill Lane.

(The city plan commission recommended approval, subject to the amended development plan and landscape plan for Planned Development District No. 454.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23213.

(The ordinance granting an amendment to the boundaries of Planned Development District No. 454)

Assigned ORDINANCE NO. 23222.

(An ordinance rezoning a tract formerly in Planned Development District No. 454 to an MU-2 Mixed Use District)

