

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 27, 1997

97-2700

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR PRO TEM MARY POSS, PRESIDING

PRESENT: [14] Poss, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill  
ABSENT: [1] Kirk absent on city business

The meeting was called to order at 9:14 a.m.

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

The invocation was given by Councilmember Charlotte Mayes.

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

After all business properly brought before the city council had been considered the city council adjourned at 3:48 p.m.

Mayor Pro Tem

ATTEST:

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City Secretary

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

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

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

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 27, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 27, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2701

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: Ben Johnson, 8625 King George Dr.  
REPRESENTING: Reach, Inc.  
SUBJECT: Disable parking/City meters

SPEAKER: Eddie Reyes, 8625 King George Dr.  
REPRESENTING: Reach, Inc.  
SUBJECT: House Bill 580

SPEAKER: Anna Albers, 201 N. Edgefield Ave.  
SUBJECT: Transportation issues

SPEAKER: Leonard Cain, 2929 Hickory St.  
SUBJECT: Religion

OPEN MICROPHONE - END OF MEETING:

No speakers.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2702

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of August 13, 1997 and the briefing meeting of August 20, 1997, were presented for approval.

Councilmember Mayes moved to approve the minutes.

Motion seconded by Councilmember Loza and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2703

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-42, was presented for consideration.

Councilmember Hicks requested that consent agenda items 4 and 5 be removed from the consent agenda to be considered as individual items. Mayor Pro Tem Poss stated that consent agenda items 4 and 5 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Hicks' request.

The following individual appeared to comment on consent agenda items:

- Carolyn Adams, 5423 Saturn Dr., concerning consent agenda item 35

Councilmember Finkelman moved to approve all items on the consent agenda with the exception of items 4 and 5 which would be considered later in the meeting as individual items.

Motion seconded by Councilmember Walne and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2704

Item 2: Authorize a professional services contract with Halff Associates, Inc. for the peak flow basin improvements at the Central Wastewater Treatment Plant and the process control improvements at the Southside Wastewater Treatment Plant - \$1,110,266 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2705

Item 3: Authorize a contract for expansion of the Eloise Lundy Recreation Center - Manna Construction, Inc., lowest responsible bidder of three - \$878,900 - Financing: 1985 Bond Funds (\$79,900) and 1995 Bond Funds (\$799,000)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2706

Item 4: Authorize a contract for the construction of erosion control improvements for Woody Branch, Phase IV-B, located at 2167, 2223, 2229, 2323 Elder Oaks Lane; 6864, 6870 Talbot Parkway - Larry H. Jackson Construction Co., Inc., lowest responsible bidder of two - \$465,158 - Financing: 1995 Bond Funds

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 4 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hick's request.

Later in the meeting agenda item 4 was brought up for consideration.

Councilmember Hicks moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2707

Item 5: Authorize a contract for the construction of storm drainage and water main improvements for Pemberton Hill Road - Phase I - Scava Limited Partnership, lowest responsible bidder of four - \$157,545 - Financing: 1994-95 Community Development Grant Funds

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 5 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hick's request.

Later in the meeting agenda item 5 was brought up for consideration.

Councilmember Hicks moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2708

Item 6: Authorize a contract for the construction of the Central Wastewater Treatment Plant Chemical Handling and Pump Station Improvements - BAR Constructors, Inc., lowest responsible bidder of two - \$3,826,900 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2709

Item 7: Authorize a contract for the construction of the Pleasant Grove Elevated Water Storage Tank  
- Landmark Structures, Inc., only bidder - \$2,524,000 - Financing: Water Utilities Bond  
Funds (\$672,176) and Water Utilities Capital Construction Funds (\$1,851,824)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2710

Item 8: Authorize a contract for the replacement of water mains and replacement or rehabilitation of wastewater mains in an area bounded by Zang Boulevard, Colorado Boulevard, Cedar Crest Boulevard and Saner Avenue - Texas-Sterling Construction, Inc., lowest responsible bidder of five - \$1,422,392 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2711

Item 9: Authorize a contract for the replacement of water and wastewater mains in the Vickery Creek area bounded by Central Expressway, Ross Avenue, Skillman Avenue, and Mockingbird Lane - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of six - \$1,117,000 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2712

Item 10: Authorize (1) the acceptance of Statewide Transportation Enhancement Program funds in an amount not to exceed \$663,300, from TxDOT for the Trolley Car Restoration portion of the McKinney Avenue Trolley Extension project; and (2) reimbursement in an amount not to exceed \$663,300, to the McKinney Avenue Transit Authority (MATA), in accordance with the Interlocal Agreement between the City of Dallas and TxDOT - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2713

Item 11: Authorize the rejection of one bid received for repairs to the Dallas Museum of Art Barrel Vault Roof and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2714

Item 12: Street Group 423

- \* 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 27, 1997

97-2715

Item 13: Street Group 423

- \* 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 27, 1997

97-2716

Item 14: Westport Avenue from Mouser Street to Harrell Avenue

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2717

Item 15: Westport Avenue from Mouser Street to Harrell 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 27, 1997

97-2718

Item 16: D-FW International Airport Expansion Project

Authorize acquisition of individual avigation easements over 3 residential properties above approximately 0.48 acres of land located in the City of Irving, Texas for D-FW International Airport Expansion project - \$99,250 (\$47,640 in easement acquisition payments and \$51,610 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 27, 1997

97-2719

Item 17: D-FW International Airport Expansion Project

Authorize acquisition, from Jimmy and Ramona Huffman, of a single-family residential property located at 700 Snowbird Drive in Irving, Texas in connection with the D-FW International Airport Expansion project for a total consideration of \$189,000 which includes all relocation and moving benefits, plus dismissal of an existing lawsuit against the Cities and the D-FW International Airport Board for property damages and inverse condemnation - 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 27, 1997

97-2720

Item 18: Authorize an Agreement Concerning and Amendment of Ground Lease with Marketplace at Webb Chapel, Ltd., Lessee for the benefit of Berkshire Mortgage Finance Corporation, Lender - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2721

Item 19: An ordinance abandoning a portion of a utility easement to Dillard Texas Operating Limited Partnership, the abutting owner, containing approximately 14,286 square feet of land, located near the intersection of Marvin D. Love Freeway and Lyndon B. Johnson Freeway at Red Bird Mall, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23223.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2722

Item 20: An ordinance abandoning a portion of a wastewater easement to Community Housing Fund, the abutting owner, containing approximately 2,100 square feet of land, located near the intersection of Lake Avenue and Kings Road, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23224.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2723

Item 21: An ordinance abandoning Nordic Street right-of-way to Duane K. Taylor, Bruce E. Wardle and Amalgamated Properties IV, Ltd., the abutting owners, containing approximately 22,339 square feet of land, located near the intersection of Jefferson Boulevard and Hampton Road and authorizing the quitclaim - Revenue: \$37,976 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23225.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2724

Item 22: An ordinance granting a revocable license to Mary Kay, Inc. for the use of approximately 667 square feet of land, to install and maintain subsurface communication conduits across a portion of Titan Drive between Governor's Row and Empress Row - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23226.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2725

Item 23: Authorize the purchase of nine (9) new and three (3) replacement grounds maintenance mowers with the lowest responsible bidders of eleven - Dallas Ford New Holland, Inc., Goldthwaites of Texas, Inc., Jacobson Textron, Masterturf & Tractor, and Professional Turf Products of Texas, Inc. - Not to exceed \$161,254 - Financing: Current Funds (\$59,436), Golf Improvement Trust Fund (\$101,818)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2726

Item 24: Authorize a twenty-four month price agreement for grass sod and seed with the lowest responsible bidder of four - Combination Plus Brokers - Not to exceed \$144,000 - Financing: Current Funds (\$134,000), Water Utilities Current Funds (\$10,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2727

Item 25: Authorize the purchase of two (2) replacement lift trucks with the lowest responsible bidder of three - Equipment Depot of Dallas, Inc. - Not to exceed \$60,258 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2728

Item 26: Authorize settlement of a claim styled Alfred Vance v. City of Dallas for bodily injury.  
Claim No. 95-101000350 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2729

Item 27: Authorize settlement of a lawsuit styled, Terron Howard d/b/a H&H Motors v. City of Dallas, Cause No. 97-03498-K - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2730

Item 28: Authorize settlement of a lawsuit styled, Monta Chance, et al. v. City of Dallas, et al.  
Civil Action No. 3:96-CV-3053-T - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2731

Item 29: Authorize settlement of a lawsuit styled, Linda S. Trammell v. City of Dallas and Albert Dwayne Taylor, Cause No. 96-10784-F - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2732

Item 30: Authorize settlement of a lawsuit styled, Mary Edney v. Roque Eustacio and City of Dallas, Cause No. 95-11798-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2733

Item 31: Authorize settlement of a lawsuit styled, Janette Cook and Roosevelt Reed v. Mark Thomas Woody and City of Dallas, Cause No. 96-13358-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2734

Item 32: Authorize settlement of a lawsuit styled Robert Cano Longoria v. City of Dallas, et al.,  
Civil Action No. 3:94-CV-1043-X - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2735

Item 33: Authorize settlement of a lawsuit styled, Rene Hendricks v. Timothy Paul Lennington, et al., Civil Action No. 3:96-CV-1776-T - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2736

Item 34: An ordinance amending Chapter 1 of the Dallas City Code to provide a standard of judicial review for decisions of city boards and commissions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23227.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2737

Item 35: Authorize the City Manager to execute a Lease Option Agreement with the City of Dallas Business Development Corporation for property at Redbird Airport - Financing:  
No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2738

Item 36: An ordinance awarding a franchise for 10 years to American Communications Services of Dallas, Inc. (ACSI), to utilize the City's public right-of-way and provide telecommunications services in Dallas - Estimated Revenue: \$1,100,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23228.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2739

Item 37: Authorize renewal of a two-year lease agreement with Restoration Center to lease 104 square feet of space at the West Dallas Multipurpose Center for the period May 1, 1997 through April 30, 1999 - Revenue: Total over two-year period - \$2,444 - \$1,196 for FY 1997-1998 and \$1,248 for FY 1998-1999

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2740

Item 38: Authorize the execution of a secured no-interest loan contract with African American Men of Peace Development, Corporation for the purchase of properties located at 4002 Fernwood Avenue and 4010 Fernwood Avenue, Dallas, Dallas County, Texas for the period August 28, 1997 through August 27, 1998. Agencies that purchase property with Community Development Grant funds are required to provide a public service to eligible persons for a minimum of five years - \$65,000 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2741

Item 39: A resolution authorizing city-sponsorship in an amount not to exceed \$4,000 in direct financial sponsorship and \$500 in-kind support of a new special event entitled the Chile Pepperama Festival in accordance with Resolution 97-0854, the Policy Statement and Procedure Guidelines for the City-Sponsorship of Special Events Program - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2742

Item 40: Authorize the acceptance of a grant from the Texas State Library and execution of a grant agreement for the continuation of interlibrary loan services for the period from September 1, 1997 through August 31, 1998 - \$388,739 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2743

Item 41: Authorize interlocal agreements to provide after school programs with Dallas Independent School District at Hotchkiss and Kramer Elementary Schools and with Richardson Independent School District at Skyview Elementary School - \$92,216 - Financing: 1996-97 Community Development Grant Funds (\$46,108) and 1997-98 Community Development Grant Funds (\$46,108)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2744

Item 42: Authorize an interlocal agreement between the Texas Department of Criminal Justice (TDCJ), Institutional Division, and the City of Dallas to perform the Geographical Information System (GIS) Water/Wastewater Mapping Data Conversion - \$328,490 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2745

Item 43: Public Hearing

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

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

- Frank Bodzin, 4816 Myerwood Ln.
- Yolanda Crosley, 2907 N. Hampton Rd.
- Christine Thomas, 1575 Madrid St.
- Lee Simpson, 350 N. St. Paul St.
- Kari Smith, 1136 Woodlawn Ave.
- Robert Trimble, 5936 Woodland Dr.
- Cathi Wood, 6445 Oriole Dr.
- Rebecca Clay, 542 Windy Ln., Cedar Hill
- Elsie Risby, 2900 Dilido Rd.
- Joe Martin, 3105 Gladiolus Ln.
- Angela Robinson, (no address given)
- Penina Weiner, 11711 El-Hara Cir.
- Linda Hollar, 3608 High Bluff Dr.
- Cile Holloway, 4439 Goodfellow Dr.
- Cindy Watts, (no address given)
- Tawana Jurek, 620 Woolsey Dr.
- Greg Brodsky, 5223 Royal Ln.
- James Cowgill, 11357 Earlywood Dr.

Councilmember Mayes moved to close the public hearing.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2746

Item 44: Public Hearing

A public hearing was called to receive citizen comments on the adjustment to the Water and Wastewater fees - Financing:  
No cost consideration to the  
City

No one addressed the city council during the hearing, although some of the speakers during the previous hearing on the proposed FY 1997-98 Operating, Capital, Grant and Trust budgets (Item 43).

Councilmember Stimson moved to close the public hearing.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2747

Item 45: Public Hearing

A public hearing was called to receive citizen comments on an application to close Stonebridge Drive and Rock Creek Drive at Fitzhugh to through traffic under provisions of the "Policy for Closure of Local Residential Streets to Through Vehicular Traffic" and a resolution directing the City Manager to work with the applicant to complete the closure process - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the application:

- C.R. Boatwright, 3925 Stonebridge Dr.
- Yolanda Mabry, 4000 Stonebridge Dr.
- Lynn Minna, 4007 Stonebridge Dr.
- Charles Aberg, 3521 Arrowhead Dr.
- David Fantini, 4118 Rock Creek Dr.
- Robert Buriskie, 4119 Rock Creek Dr.
- William Brown, 4120 Stonebridge Dr.
- Charles Koetting, 3909 Stonebridge Dr.

Councilmember Forsythe Lill moved to close the public hearing and approve the resolution.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2748

97-2749

97-2750

Nomination of Three Proposed Enterprise Zones

- Item 46 \* A public hearing to receive citizen comments concerning the nomination of three proposed enterprise zones in the City of Dallas [97-2748]
- Item 47 \* An ordinance authorizing the nomination of City of Dallas Enterprise Zones One, Two, and Three - Financing: No cost consideration to the City [97-2749]
- Item 48 \* Authorize the City of Dallas to submit an application to the Texas Department of Commerce for state designation of three enterprise zones; and authorize payment of the application fee to the Texas Department of Commerce - \$1,500 (\$500 per zone) - Financing: Current Funds [97-2750]

A public hearing was called to receive citizen comments concerning the nomination of three proposed enterprise zones in the City of Dallas.

The following individual addressed the city council regarding the enterprise zones:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.

Councilmember Stimpson moved to close the public hearing, pass the ordinance authorizing the nomination of City of Dallas Enterprise Zones One, Two, and Three, and approve the resolution authorizing the City of Dallas to submit an application to the Texas Department of Commerce for state designation of three enterprise zones; and authorize payment of the application fee to the Texas Department of Commerce.

Motion seconded by Councilmember Lipscomb.

Councilmember Duncan asked Councilmember Stimson if he would accept a friendly amendment to his motion to provide that the ordinance include only Enterprise Zone One and Enterprise Zone Two, and that the area proposed for Enterprise Zone Three be changed by deleting block groups 1 and 4 of 1990 census tract 92.01. Councilmember Duncan stated that his objective in deleting these areas was to enable city staff to later amend City of Dallas Enterprise Zone Three to include census tract 83.00 at a future meeting of the city council.

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

After discussion Mayor Pro Tem Poss called the vote on Councilmember Stimson's motion as modified by the friendly amendment and declared the motion as modified by the friendly amendment, unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23229.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2751

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 49-58 was presented.

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

- ~~Agenda item 49: Zoning Case Z967-241/1085-SE(LS)~~ [Considered individually]
- ~~Agenda item 50: Zoning Case Z967-246/10335-NC(KC)~~ [Considered individually]
- Agenda item 51: Zoning Case Z967-247/9510-SE(KC)
- Agenda item 52: Zoning Case Z967-248/10337-NC(KC)
- ~~Agenda item 53: Zoning Case Z967-249/10338-NC(KC)~~ [Considered individually]
- Agenda item 54: Zoning Case Z967-253/10340-NW(RB)
- Agenda item 55: Zoning Case Z967-255/1291-NC(RB)
- Agenda item 56: Zoning Case Z967-259/10356-C(CR)
- ~~Agenda item 57: Zoning Case Z967-260/10357-SW(CR)~~ [Considered individually]
- Agenda item 58: Zoning Case Z967-173/10364-SE(KC)

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

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

- Tommy Van Zandt, 6222 Royal Crest Dr., regarding Zoning Case Z967-255/1291-NC(RB)
- Helen Simon, 3812 Black Oak Dr., regarding Zoning Case Z967-247/9510-SE(KC)

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2752

Item 49: Zoning Case Z967-241/1085-SE(LS)

The consent zoning docket, consisting of agenda items 49-57 was presented.

Councilmember Mallory Caraway requested that consent zoning docket item 49 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Poss stated that consent zoning docket item 49 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Mallory Caraway's request.

Later in the meeting zoning docket item 49 was brought up for consideration.

A public hearing was called on zoning case Z967-241/1085-SE(LS), an application for and an ordinance granting the renewal of Specific Use Permit No. 438 for a Child-care facility on property presently zoned an R-7.5(A) Single Family District at the southeast corner of Hulse Boulevard and Hutchins 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.

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

Appearing in favor of the city plan commission recommendation:

-- Lucille C. McGaughey, 1227 Willow Glen Dr., the applicant

Councilmember Mallory Caraway moved to close the public hearing, modify the recommendation of the city plan commission, approve the renewal of the specific use permit for a ten-year time period with eligibility for automatic renewal for additional ten-year time periods, subject to a site plan and conditions, and pass the ordinance with that change.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23230.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2753

Item 50: Zoning Case Z967-246/10335-NC(KC)

The consent zoning docket, consisting of agenda items 49-57 was presented.

Cherryl J. Peterman, director of planning, requested that consent zoning docket item 50 be removed from the consent zoning docket, to be called as an individual hearing because, 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 director of planning.

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

A public hearing was called on zoning case Z967-246/10335-NC(KC), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned an RR Regional Retail District at the southeast corner of Alpha Road and Montfort Place.

(The city plan commission recommended approval for a permanent time period with a maximum height of 120 feet, subject to a site plan and conditions.)

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

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

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Kirk absent on city business; Mayes absent when vote taken)

Assigned ORDINANCE NO. 23231.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2754

Item 51: Zoning Case Z967-247/9510-SE(KC)

Zoning Case Z967-247/9510-SE(KC), an application for and an ordinance granting a Specific Use Permit for an Adult day care facility on property presently zoned an R-10(A) Single Family District on the northeast side of Wadsworth Drive, northwest of Ledbetter Drive .

(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. 23232.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2755

Item 52: Zoning Case Z967-248/10337-NC(KC)

Zoning Case Z967-248/10337-NC(KC), an application for and an ordinance granting a CS Commercial Service District on property presently zoned a CH Clustered Housing District at the south corner of Ronnie Drive and Dickerson Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23233.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2756

Item 53: Zoning Case Z967-249/10338-NC(KC)

The consent zoning docket, consisting of agenda items 49-57 was presented.

Cheryl J. Peterman, director of planning, requested that consent zoning docket item 53 be removed from the consent zoning docket, to be called as an individual hearing because, 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 director of planning.

Mayor Pro Tem Poss stated that consent zoning docket item 53 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z967-249/10338-NC(KC), an application for and an ordinance granting a CS Commercial Service District on property presently zoned a CH Clustered Housing District at the south corner of Newt Drive and Bannister Street.

(The city plan commission recommended approval.)

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

Councilmember Greyson 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. (Kirk absent on city business; Mayes absent when vote taken)

Assigned ORDINANCE NO. 23234.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2757

Item 54: Zoning Case Z967-253/10340-NW(RB)

Zoning Case Z967-253/10340-NW(RB), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an IR Industrial Research District on the south side of Walnut Hill Lane, west of Stemmons Freeway .

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23235.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2758

Item 55: Zoning Case Z967-255/1291-NC(RB)

Zoning Case Z967-255/1291-NC(RB), an application for and an ordinance granting an amendment to the conceptual plan, development plan, and conditions for Planned Development District No. 211 for Office and Retail Uses to permit multiple family uses on property on the west side of Noel Road, north of Spring Valley Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23236.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2759

Item 56: Zoning Case Z967-259/10356-C(CR)

Zoning Case Z967-259/10356-C(CR), an application for and an ordinance granting an O-2 Office Subdistrict on property presently zoned a P Parking Subdistrict and a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east side of Cedar Springs Road between Cole Avenue and Carlisle Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23237.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2760

Item 57: Zoning Case Z967-260/10357-SW(CR)

The consent zoning docket, consisting of agenda items 49-57 was presented.

Deputy Mayor Pro Tem Salazar requested that consent zoning docket item 57 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Poss stated that consent zoning docket item 57 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Deputy Mayor Pro Tem Salazar .'s request.

Later in the meeting zoning docket item 57 was brought up for consideration.

A public hearing was called on zoning case Z967-260/10357-SW(CR), an application for and an ordinance granting an RR Regional Retail District on property presently zoned an MU-1 Mixed Use District on the east side of Ewing Avenue, south of East Jefferson Boulevard.

(The city plan commission recommended approval.)

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

Deputy Mayor Pro Tem Salazar moved to postpone consideration of the application until the September 10, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Loza and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2761

Item 58: Zoning Case Z967-273/10364-SE(KC)

Zoning Case Z967-273/10364-SE(KC), an application for and an ordinance granting a Planned Development District for a Public School (Prairie Creek Academy) and certain R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District at the southeast corner of Bruton Road and St. Augustine Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23238.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2762

Item 59: Public Hearing - DEVELOPMENT CODE AMENDMENT - CONSENT

A public hearing was called to receive citizen comments on consideration of an amendment to the Dallas Development Code to revise the regulations governing the Day Home accessory use that increases the number of Day Home attendees from 6 to 10 and allows two employees and reduces the screening height from six feet to four feet, and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

The following individuals addressed the city council regarding the proposed amendment:

- Celia Walker, 8617 Grumman Dr.
- Elsie Risby, 2900 Dilido Rd.

Deputy Mayor Pro Tem Salazar moved to postpone consideration of the amendment until the September 10, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Blumer and unanimously adopted. (Kirk absent on city business)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2763

Item 60: Public Hearing - DEVELOPMENT CODE AMENDMENT - CONSENT

A public hearing was called to receive citizen comments on consideration of an amendment to the Dallas Development Code to revise the regulations governing the Placement of Fill Material use on private property to require a Specific Use Permit, subject to certain conditions and exemptions, and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

Councilmember Duncan moved to close the public hearing, modify the recommendation of the city plan commission, make the following changes in the draft ordinance:

- 1) That the term "nonhazardous" be inserted before "earth material" in the definition of placement of fill material.
- 2) That the definition include the following definition of hazardous earth material: "Hazardous earth material means earth material containing hazardous material, as defined in Title 49 of the Code of Federal Regulations.
- 3) That a new provision (v) be added to Subparagraph (E), "Additional Provisions," of Paragraph (1.2) of Section 51A-4.206 of Chapter 51A of the Dallas City Code to read as follows: "(v) Any material illegally deposited in the placement of fill material must be removed within sixty days after notice from the director of the Department of Streets, Sanitation and Code Enforcement."

and to pass the ordinance with those changes.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23239.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2764

Item 61: Public Hearing - Zoning Case Z967-242/10331-NE(LS)

A public hearing was called on zoning case Z967-242/10331-NE(LS), an application for a P(A) Parking District on property presently zoned an R-7.5(A) Single Family District on the west side of Skillman Street, north of Mockingbird Lane.

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2765

Item 62: Public Hearing - Zoning Case Z967-251/4988-NC(KC)

A public hearing was called on zoning case Z967-251/4988-NC(KC), an application for an MF-2(A) Multifamily District on property presently zoned a CR Community Retail District at the northeast corner of Trinity Mills Road and Vail Street, and an ordinance granting an MF-2(SAH) Multifamily (Standard Affordable Housing) District.

(The city plan commission recommended approval of an MF-2(SAH) Multifamily (Standard Affordable Housing) District in lieu of the requested MF-2(A) Multifamily District.

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

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

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23240.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2766

Public Hearing - BENEFIT ASSESSMENT HEARING

Alabama Avenue from Elmore Avenue to Illinois Avenue

- Item 63: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements on the above listed street
- Item 64: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed street - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements on Alabama Avenue from Elmore Avenue to Illinois Avenue.

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

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

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23241.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2767

Public Hearing - BENEFIT ASSESSMENT HEARING

Bond Avenue from Jefferson Boulevard to Davis Street

- Item 65: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements on the above listed street
- Item 66: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed street
- Item 67: \* Authorize a contract for construction of street paving, storm drainage, water and wastewater main improvements for the above listed street - Camino Construction, Inc., lowest responsible bidder of five - \$740,538 - Financing: 1995 Bond Funds (\$513,197), Water Utilities Bond Funds (\$222,141), Water Utilities Capital Construction Funds (\$5,200)

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 on Bond Avenue from Jefferson Boulevard to Davis Street.

The following individual appeared in opposition to the proposed improvements or assessments:

-- Carol Feldman, 103 N. Bond Ave.

No one appeared 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. (Kirk absent on city business; Duncan absent when vote taken)

Assigned ORDINANCE NO. 23242.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2768

Public Hearing - BENEFIT ASSESSMENT HEARING

Ferguson Road from I.H. 30 to Highland Road

- Item 68: \* Benefit assessment hearing for sidewalk paving and water main improvements on the above listed street.
- Item 69: \* Ordinance levying benefit assessments for sidewalk paving and water main improvements on the above listed street
- Item 70: \* Authorize a contract for construction of sidewalk paving improvements on the above listed street - Roadway Engineering and Construction, Inc., lowest responsible bidder of four - \$55,853 - Financing: 1995 Bond Funds (\$45,137), Water Utilities Capital Construction Funds (\$3,316), Water Utilities Bond Funds (\$7,400)

A public hearing was called to receive comments on a proposal to levy benefit assessments for sidewalk paving and water main improvements on Ferguson Road from I.H. to Highland Road.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23243.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2769

Public Hearing - BENEFIT ASSESSMENT HEARING

Walnut Street from AT & SF R. R. to Plano Road

- Item 71: \* Benefit assessment hearing for sidewalk paving improvements on the above listed street
- Item 72: \* Ordinance levying benefit assessments for sidewalk paving improvements on the above listed street
- Item 73: \* Authorize a contract for construction of sidewalk paving improvements for the above listed street - Roadway Engineering and Construction, Inc., lowest responsible bidder of four - \$71,096 - Financing: 1995 Bond Funds (\$69,016), Water Utilities Capital Construction Funds (\$2,080)

A public hearing was called to receive comments on proposal to levy benefit assessments for sidewalk paving improvements on Walnut Street from AT & SF R.R. to Plano Road.

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

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

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 23244.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2770

Item 74: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.017, 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 26, 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.

Mayor Pro Tem Poss stated that any action should be limited to appointments to "individual appointment" positions and that appointments to the "full-council" board positions would be done at a future meeting of the city council.

Councilmember Finkelman moved to appoint all of the nominees to " individual appointment" positions 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.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent on city business)

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

97-2779	BOA	BOARD OF ADJUSTMENT
97-2781	CPC	CITY PLAN AND ZONING COMMISSION
97-2782	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
97-2783	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
97-2784	DCT	DALLAS COMMUNITY TELEVISION BOARD
97-2785	EHC	ENVIRONMENTAL HEALTH COMMISSION
97-2786	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2771

Item 75: Authorize approval of the bi-weekly tax action

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2772

Item 76: D-FW International Airport

Authorize a resolution approving the Dallas-Fort Worth International Airport Board fiscal year 1997-98 budget - Financing: No cost consideration to the City

Councilmember Lipscomb moved to approve the resolution..

Motion seconded by Councilmember Walne and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2773

Item 77: D-FW International Airport

Authorize adoption of the Twenty-Eighth Supplemental Regional Airport Concurrent Bond Ordinance authorizing the Dallas-Fort Worth Regional Airport Joint Revenue Refunding Bonds, Series 1997A, and the Twenty-Ninth Supplemental Regional Airport Concurrent Bond Ordinance authorizing the Dallas-Fort Worth Regional Airport Joint Revenue Refunding Bonds, Taxable Series 1997B if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City

Councilmember Lipscomb moved to pass the ordinance.

Motion seconded by Councilmember Loza.

After discussion, Mayor Pro Tem Poss called the vote on the motion.

Mayor Pro Tem Poss declared the motion adopted on a divided voice vote. (Kirk absent on city business)

Assigned ORDINANCE NO. 23245 and ORDINANCE NO. 23246.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2774

Item 78: D-FW International Airport

Authorize a resolution approving issuance and sale of Dallas-Fort Worth International Airport Facility Improvement Corporation Rental Car Facility Charge Revenue Bonds, Taxable Series 1997, if specified parameters are met; and approving documents related thereto - Financing: No cost consideration to the City

Councilmember Stimson moved to postpone consideration of the resolution until the September 10, 1997 voting agenda meeting of the city council.

Motion seconded by Councilmember Duncan and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2775

Item 79: 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 Ferris, 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)

Councilmember Lipscomb moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2776

Addendum addition 1: Authorize an increase in the Bulk Chlorine Price Agreement for the purchase of liquid chlorine delivered in truck loads - DPC Industries, Inc. - \$747,700, from \$2,990,800 to \$3,738,500 - Financing: Water Utilities Current Funds

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Hicks.

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

Voting Yes: [11] Poss, Loza, Stimson, Duncan, Hicks, Mayes, Mallory Caraway, Walne, Blumer, Greyson, Forsythe Lill  
Voting No: [1] Lipscomb,  
Absent: [3] Kirk absent on city business; Salazar, Finkelman absent when vote taken

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2777

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 27, 1997

97-2778

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 27, 1997

EXHIBIT C



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 27, 1997

97-2700

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR PRO TEM MARY POSS PRESIDING

PRESENT: [14] Poss, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill  
ABSENT: [1] Kirk absent on city business

CORRECTIONS TO THE MINUTES

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 27, 1997

97-2700

VOTING AGENDA MEETING  
CITY COUNCIL CHAMBER, CITY HALL  
MAYOR PRO TEM MARY POSS [~~RON KIRK~~], PRESIDING

PRESENT: [14] Poss, Salazar, Loza, Stimson, Duncan, Hicks, Gregory Caraway,  
Lipscomb, Walne, Finkelman, Greyson, Blume, Forsythe Lill  
ABSENT: [1] Kirk absent on city business

The meeting was called to order at 9:14 a.m.

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

The invocation was given by Councilmember Charlotte Mayes.

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

After all business properly brought before the city council had been completed, the city council adjourned at 3:48 p.m.

Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
City Secretary

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

The actions taken on each item 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2706

Item 4: Authorize a contract for the construction of erosion control improvements for Moody Branch, Phase IV-B, located at 2167, 2223, 2229, 2323 Elder Oaks Lane; 6000, 6002, 6004, 6006 Talbot Parkway - Larry H. Jackson Construction Co., Inc., low bidder responsible for construction; two - \$465,158 - Financing: 1995 Bond Funds

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 4 be considered as an individual item. Mayor Pro Tem [Kirk] stated that consent agenda item 4 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 4 was brought up for consideration.

Councilmember Hicks moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously approved by the Council absent on city business; Mallory Caraway, Lipscomb absent when vote taken.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2707

Item 5: Authorize a contract for the construction of storm drainage and water main improvements for Pemberton Hill Road - Phase I - Scava Limited Partnership, lowest bidder of four - \$157,545 - Financing: 1994-95 Community Development

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 5 be considered as an individual item. Mayor [Pro Tem Posselt] stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hick's request.

Later in the meeting agenda item 5 was brought up for consideration.

Councilmember Hicks moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and [Pro Tem Posselt] (Kirk absent on city business; Mallory Caraway, Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2770

Item 74: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.017, T.O.M.A.)

The city secretary distributed a report showing all nominations and renominations received for board and commission appointments for the 1997-1999 board term updated through August 26, 1997.

The city secretary noted that the report indicated with the notation "OK" each person nominated or renominated met all qualifications for service. The city secretary also noted the term for each nominee would begin September 1, 1997.

Mayor Pro Tem Poss stated that any action should be limited to appointments to "individual appointment" positions and that appointments to the "full-council" positions would be made at a future meeting of the city council.

Councilmember Finkelman moved to appoint all of the nominees to "individual appointment" positions 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.

Motion seconded by Councilmember [redacted] and unanimously adopted. (Kirk absent on city business)

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

- 97-2779 BOARD OF ADJUSTMENT
- 97-2781 CFA COUNCIL PLAN AND ZONING COMMISSION
- 97-2782 CFB CITIZEN POLICE REVIEW BOARD
- 97-2783 CSX COUNCIL POLICE BOARD ADJUNCT MEMBERS
- 97-2784 DCT DALLAS COMMUNITY TELEVISION BOARD
- 97-2785 SAC SENIORS COMMISSION
- 97-2785 EHC ENVIRONMENTAL HEALTH COMMISSION
- 97-2786 SDF SOUTH DALLAS/FAIR PARK TRUST FUND BOARD

**Order**

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



**Order**

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

**Order**

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2747

Item 45: Public Hearing

A public hearing was called to receive citizen comments on an application to close Stonebridge Drive and Rock Creek Drive at Fitzhugh to through traffic under provisions of the Policy "Closure of Local Residential Streets to Through Vehicular Traffic" a resolution directing the City Manager to work with the applicant to complete the closure process - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the application

- C.R. Boatwright, 3925 Stonebridge Dr.
- Yolanda Mabry, 4000 Stonebridge Dr.
- Lynn Minna, 4007 Stonebridge Dr.
- Charles Aberg, 3521 Arrowhead Dr.
- David Fantini, 4118 Rock Creek Dr.
- Robert Buriskie, 4119 Rock Creek Dr.
- William Brown, 4120 Stonebridge Dr.
- Charles Koetting, 3909 Stonebridge Dr.

Councilmember Forsythe Lill moved to close the public hearing and approve the resolution.

Motion seconded by Councilmember Timson and adopted. (Kirk absent on city business)

**The resolution supporting agenda item had not been received in the secretary's office as of: September 3, 1997 (9:24am)**  
**Resolution received September 9, 1997(8:30am)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2748  
97-2749  
97-2750

Nomination of Three Proposed Enterprise Zones

- Item 46 \* A public hearing to receive citizen comments concerning the nomination of three proposed enterprise zones in the City of Dallas [97-2748]
- Item 47 \* An ordinance authorizing the nomination of City of Dallas Enterprise Zones One, Two, and Three. Financing: No cost consideration to the City [97-2749]
- Item 48 \* Authorize the City of Dallas to submit an application to the Texas Department of Commerce for state designation of three enterprise zones; and authorize payment of the application fee to the Texas Department of Commerce - \$1,500 (\$500 per zone) - Financing: Current Funds

A public hearing was called to receive citizen comments concerning the nomination of three proposed enterprise zones in the City of Dallas.

The following individual addressed the city council regarding the enterprise zones:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.

Councilmember Stimpson moved to close the public hearing, pass the ordinance authorizing the nomination of City of Dallas Enterprise Zones One, Two, and Three, and approve the resolution authorizing the City of Dallas to submit an application to the Texas Department of Commerce for state designation of three enterprise zones and authorize payment of the application fee to the Texas Department of Commerce. Motion seconded by Councilmember Lipscomb.

Councilmember Duncan asked Councilmember Stimpson if he would accept a friendly amendment to his motion to provide that the ordinance include only Enterprise Zone One and Enterprise Zone Two, and that the area proposed for Enterprise Zone Three be changed by deleting block groups 1 and 2 of tract 92.01. Councilmember Duncan stated that his motive in deleting the areas was to enable Councilmember Stimpson to amend City of Dallas Enterprise Zone Three to include tract 83.00. Councilmember Stimpson accepted the amendment as a part of his motion. Councilmember Lipscomb, who seconded Councilmember Stimpson's motion, also accepted the amendment.

After discussion Mayor Ross called the Councilmember Stimpson's motion as modified by the friendly amendment and declared the ordinance as modified by the friendly amendment, unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 232

**The ordinance to support this agenda item had not been received in the city secretary's office as of: September 3, 1997 (4am)**

**Ordinance received: September 3, 1997(12:33pm)**

**Ordinance**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 27, 1997

97-2748  
97-2749  
97-2750

Nomination of Three Proposed Enterprise Zones

- Item 46 \* A public hearing to receive citizen comments concerning the nomination of three proposed enterprise zones in the City of Dallas [97-2748]
- Item 47 \* An ordinance authorizing the nomination of City of Dallas Enterprise Zones One, Two, and Three. Financing: No cost consideration to the City [97-2749]
- Item 48 \* Authorize the City of Dallas to submit an application to the Texas Department of Commerce for state designation of three enterprise zones; and authorize payment of the application fee to the Texas Department of Commerce - \$1,500 (\$500 per zone) - Financing: Current Funds

A public hearing was called to receive citizen comments concerning the nomination of three proposed enterprise zones in the City of Dallas.

The following individual addressed the city council regarding the enterprise zones:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.

Councilmember Stimpson moved to close the public hearing, pass the ordinance authorizing the nomination of City of Dallas Enterprise Zones One, Two, and Three, and approve the resolution authorizing the City of Dallas to submit an application to the Texas Department of Commerce for state designation of three enterprise zones and authorize payment of the application fee to the Texas Department of Commerce. Motion seconded by Councilmember Lipscomb.

Councilmember Duncan asked Councilmember Stimpson if he would accept a friendly amendment to his motion to provide that the ordinance include only Enterprise Zone One and Enterprise Zone Two, and that the area proposed for Enterprise Zone Three be changed by deleting Block groups 1 and 2 and Tract 92.01. Councilmember Duncan stated that his motive in deleting the areas was to enable Councilmember Stimpson to amend City of Dallas Enterprise Zone Three to include Tract 83.00. Councilmember Stimpson accepted the amendment as a part of his motion. Councilmember Lipscomb, who seconded Councilmember Stimpson's motion, also accepted the amendment.

After discussion Mayor Ross called the Councilmember Stimpson's motion as modified by the friendly amendment and declared the ordinance as modified by the friendly amendment, unanimously adopted. (Kirk absent on city business)

Assigned ORDINANCE NO. 232

**The resolution to support this agenda item had not been received in the city secretary's office as of: September 3, 1997 (4am)**

**Resolution received: September 3, 1997(10:26am)**

**DRAFT**

**Order**

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS