

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 10, 1997

97-2850

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 9:14 a.m.

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

The invocation was given by Edsel Dureus, student, Dallas Theological Seminary.

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 2:29 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, SEPTEMBER 10, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 10, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2851

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: Evelyn Daniel, 2826 Arizona Ave.
SUBJECT: Complaint against Dallas police

OPEN MICROPHONE - END OF MEETING:

No speakers.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2852

Item 1: Approval of Minutes

The minutes of the briefing meeting of August 6, 1997, the voting agenda meeting of August 27, 1997 and the briefing meeting of September 3, 1997, were presented for approval.

Councilmember Stimson moved to approve the minutes.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2853

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-46, was presented for consideration.

Mayor Pro Tem Poss requested that consent agenda item 41 be removed from the consent agenda to be considered as an individual item. Deputy Mayor Pro Tem Salazar stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss' request.

Councilmember Loza moved to approve all items on the consent agenda with the exception of item 41 which would be considered later in the meeting as an individual item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2854

Item 2: Authorize a professional services contract with Nathan D. Maier Consulting Engineers, Inc. to provide engineering services for the repair and improvements to the pipeline and pumping systems at the Elm Fork Water Treatment Plant - \$623,943 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2855

Item 3: Authorize a professional services contract with Post, Buckley, Schuh & Jernigan, Inc. to provide engineering services for the replacement of water mains and replacement or rehabilitation of wastewater mains throughout the City of Dallas - \$1,413,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2856

Item 4: Authorize a professional services contract with RJN Group, Inc. to provide engineering services and analysis of the inflow and infiltration into the wastewater collection system in the lower west White Rock Creek drainage area bounded by Lovers Lane, Greenville Avenue, East Grand Avenue and White Rock Lake - \$1,337,748 - Financing: Water Utilities Bond Funds (\$1,045,565) and Water Utilities Capital Construction Funds (\$292,183)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2857

Item 5: Authorize a professional services contract with Metcalf & Eddy, Inc. to provide engineering services for the design of the 72-inch Elm Fork Water Transmission Main - \$1,289,568 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2858

Item 6: Authorize a contract for the construction of alley improvements for the alley between Blue Scope Lane and Keeneland Court from Keeneland Parkway to T-alley south of Botany Bay Drive - Solis and Solis Construction Company, lowest responsible bidder of four - \$109,945 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2859

Item 7: Authorize a contract for the construction of paving and drainage improvements for Kingbridge/Holystone Connector from Bickers Street to Kingbridge Street - Ed Bell Construction Company, only bidder - \$256,193 - Financing: 1992 Certificates of Obligation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2860

Item 8: Authorize a contract for renovation of the Utility Pay Station at the West Dallas Multipurpose Center - Doric Building Corporation, lowest responsible bidder of four - \$78,156 - Financing: 1995-96 Community Development Grant Funds (\$36,337), 1995 Bond Funds (\$41,819)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2861

Item 9: Authorize a contract for the construction of intersection improvements at Preston Road and Belt Line Road - Gibson and Associates, Inc., lowest responsible bidder of five - \$212,623 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2862

Item 10: Authorize a contract for the demolition of the old Highway 66 bridge at Lake Ray Hubbard - Hunter Demolition and Wrecking Corporation, lowest responsible bidder of four - \$360,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2863

Item 11: Authorize a contract for the construction of Plano Road Elevated Storage Tank Improvements - Allied Maintenance Contractors, Inc., lowest responsible bidder of six - \$444,750 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2864

Item 12: Authorize a contract for the construction of the Coppell 2 Metering Station and Pipeline Modifications - BAR Constructors, Inc., lowest responsible bidder of five -\$1,050,000 - Financing: Water Utilities Capital Construction Funds (to be reimbursed in full by the City of Coppell)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2865

Item 13: Southside Wastewater Treatment Plant

- * Authorize a contract for the construction of the Southside Wastewater Treatment Plant Grit Removal Modifications - Cajun Contractors, Inc., lowest responsible bidder of three - \$2,835,000 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2866

Item 14: Southside Wastewater Treatment Plant

- * Authorize a contract for the construction of the Southside Wastewater Treatment Plant Pump Station C Screening Modifications - Archer-Western Contractors, Inc., lowest responsible bidder of four - \$6,736,834 - Financing: Water Utilities Capital Construction Funds (\$6,100,080) and Water Utilities Bond Funds (\$636,754)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2867

Item 15: Change Orders and Contract Amendments

- * Authorize Supplemental Agreement No. 1 to the contract with HDR Engineering, Inc. to provide engineering services for additional peak flow storage basins at the Southside Wastewater Treatment Plant - \$96,859, from \$799,935 to \$896,794 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2868

Item 16: Authorize an agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for installing, operating, adjusting, maintaining and removing temporary traffic signal equipment at the intersections of Royal Lane and Southwell Road at Harry Hines Boulevard - \$59,696 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2869

Item 17: Authorize calling of a benefit assessment hearing to be held on October 22, 1997, for alley paving and wastewater main improvements on the alley between Bickers Street and Life Avenue from Puget Street to Harston Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2870

Item 18: Authorize calling of a benefit assessment hearing to be held on October 22, 1997, for alley paving, water and wastewater main improvements on the alley between Edgefield Avenue and Windomere Avenue from Burlington Boulevard to Brooklyn Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2871

Item 19: Authorize calling of a benefit assessments hearing to be held on October 22, 1997, for alley paving improvements on the alley between La Cabeza Drive and La Manga Drive from Spring Creek Road to La Manga Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2872

Item 20: Authorize calling of a benefit assessment hearing to be held on October 22, 1997, for street paving, storm drainage, water and wastewater main improvements on Street Group 420 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2873

Item 21: Authorize approval of a recommended plan for the proposed alignment of the Central Business District (CBD) Fair Park Link from Exposition Street to US 75 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2874

Item 22: Authorize a three year lease agreement with Maher Properties Two, for approximately 48,564 square feet of land located near North Ewing Avenue and Eighth Street, including land for parking and approximately 10,300 square feet of office space to be used by the City of Dallas for the Oak Cliff Health Clinic - \$4,100 per month, for a total of \$49,200 annually - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2875

Item 23: Authorize a three year lease agreement with Nancy C. Cockrell, et al, for approximately 120,906 square feet of land near South Industrial Boulevard and Stemmons Freeway for the continued use by the City of Dallas for additional access and parking in conjunction with Reunion Arena - \$3,200 per month, for a total of \$38,400 annually - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2876

Item 24: An ordinance granting a private license to Jefferson At The North End, L.P., for the use of approximately 21,206 square feet of land to install and maintain landscaping on a portion of Wichita Extension and Field Street rights-of-way located near Ashland Street and Cedar Springs Road - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23247.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2877

Item 25: An ordinance granting a private license to Phoenix Eastbridge Limited Partnership, for the use of approximately 6,828 square feet of land to construct, install and maintain a sprinkler system, landscaping and parking on portions of Willis Avenue and Richards Avenue rights-of-way between Henderson Avenue and Homer Street - Revenue: \$845 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23248.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2878

Item 26: An ordinance abandoning an alley to the Corporation of the Episcopal Diocese of Dallas, the abutting owner, containing approximately 7,354 square feet of land, located near the intersection of McKinney Avenue and Haskell Avenue, of which approximately 6,954 square feet were originally dedicated by the abutting owner and authorizing the quitclaim
- Revenue: \$4,590 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23249.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2879

Item 27: An ordinance abandoning a portion of Tracy Street to Javier G. Gutierrez, the abutting owner, containing approximately 5,015 square feet of land, located near the intersection of Tracy Street and Harvard Avenue and authorizing the quitclaim - Revenue: \$69,270 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23250.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2880

Item 28: Authorize the purchase of a logging recorder system to record 9-1-1 and non-emergency telephone calls and radio dispatch, and a forty-eight (48) month price agreement for maintenance, accessories and related services - Dictaphone Corporation, most advantageous proposer of four - Not to exceed \$689,679 - Financing: 1996 Local Law Enforcement Block Grant (\$268,500), Current Funds (\$102,984), and (\$318,195) years two through five (subject to availability of funding)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2881

Item 29: Authorize the purchase of two (2) new and two (2) replacement police service marked squad sedans, one (1) replacement pickup truck, four (4) new passenger vans, and one (1) replacement utility vehicle with the lowest responsible bidders of two - Doran Chevrolet-Peugeot, Inc. and Village Ford Lewisville, Inc. - Not to exceed \$203,866 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2882

Item 30: Authorize a twelve month contract with five (5) twelve month renewal options for food and vending services at City Hall, 1500 Marilla, and at Oak Cliff Municipal Center, 320 East Jefferson - Signature Services Corp. - Estimated Revenue: \$12,000 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2883

Item 31: Authorize the purchase of one (1) replacement universal heavy duty big bore engine lathe with the lowest responsible bidder of three - K. Layne, Inc. - Not to exceed \$159,577 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2884

Item 32: Authorize the purchase of twelve (12) replacement vacuum bottle assemblies with the lowest responsible bidder of three - WESCO Distribution, Inc. - Not to exceed \$76,123.50 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2885

Item 33: Authorize a twenty-four month price agreement for sand used on icy streets with the lowest responsible bidder of five - Pioneer Aggregates, Inc. - Not to exceed \$630,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2886

Item 34: Authorize the rejection of one bid received for a twenty-four month price agreement for portable toilets, 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

September 10, 1997

97-2887

Item 35: Authorize an increase in the price agreement with Allied Colloids, Inc. for the purchase of polymer for the Southside Wastewater Treatment Plant - Not to exceed \$283,710, from \$1,134,840, to 1,418,550 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2888

Item 36: Authorize settlement of a lawsuit styled, Helen Nelson v. Walter M. Clifton and City of Dallas, Cause No. CC-96-09335-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2889

Item 37: Authorize settlement of a lawsuit styled, Karl Meyer, Joel Burnham and United Services Automobile Association v. Dorothy B. Means and the City of Dallas, Cause No. CC-96-09673-B – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2890

Item 38: Authorize settlement of a lawsuit styled, Craig D. Wilson v. City of Dallas and Mark Mitchell, Cause No. cc-96-07956-d - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2891

Item 39: Authorize an amendment to the contract with Southwestern Bell Telephone Company for additional telephone equipment, service, and maintenance to include the delivery of non-emergency 3-1-1 telephone service for areas in the City of Dallas serviced by Southwestern Bell Telephone Company, and increase the funding in an amount not to exceed \$452,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2892

Item 40: Authorize a contract with GTE Telephone Operations (GTE) for delivery of non-emergency 3-1-1 telephone service for areas in the City of Dallas serviced by GTE Telephone Operations in an amount not to exceed \$22,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2893

Item 41: Authorize a professional services contract with International Business Machines, Inc. to perform a City-wide, long range information Technology Needs Assessment - Not to exceed \$551,221 - Financing: Current Funds

At the time the consent agenda was presented for discussion Mayor Pro Tem Poss requested that consent agenda item 41 be considered as an individual item. Deputy Mayor Pro Tem Salazar stated that consent agenda 41 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss' request.

Later in the meeting agenda item 41 was brought up for consideration.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2894

Item 42: Approve a resolution authorizing a major sports celebration in honor of the Dallas Burn on or following October 27, 1997, in accordance with Resolution 93-4570, "A Policy Statement for Major Sports Celebrations" - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2895

Item 43: Approve a resolution authorizing a major sports celebration in honor of the Dallas Sidekicks on or following October 27, 1997, in accordance with Resolution 93-4570, "A Policy Statement for Major Sports Celebrations" - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2896

Item 44: Authorize (1) a public hearing to be held on September 24, 1997, to receive citizen comments on the annual assessment rate for the Uptown Public Improvement District, and (2) consideration after that hearing of an ordinance establishing classifications for the apportionment of costs and methods of assessment, adopting and filing with the City Secretary the assessment roll, closing the hearing and levying 1997 assessments, fixing the charges and liens, and the cost of assessment for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2897

Item 45: Authorize (1) a public hearing to be held on September 24, 1997, to receive citizen comments on the annual assessment rate for the Vickery Meadow Public Improvement District, and (2) consideration after that hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessment, adopting and filing with the City Secretary the assessment roll, closing the hearing and levying 1997 assessments, fixing the charges and liens, and the cost of assessment for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2898

- Item 46: Authorize (1) a public hearing to be held on September 24, 1997, to receive citizen comments on the annual assessment rate for the Downtown Improvement District, and (2) consideration after that hearing of an ordinance establishing classifications for the apportionment of costs and methods of assessment, adopting and filing with the City Secretary the assessment roll, closing the hearing and levying 1997 assessments, fixing the charges and liens, and the cost of assessment for the Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Downtown Improvement District (“District”) for the purpose of providing supplemental public services and public improvements, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2899

97-2900

- Item 47: A public hearing was called to receive citizen comments concerning the proposed assessment 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 - Financing: No cost consideration to the City [97-2899]
- Item 48: An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Prestonwood Public Improvement District, levying and specifying the method of payment of the assessment for the Prestonwood Public Improvement District ("District") in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; approving, adopting and filing with the City Secretary the assessment roll - Financing: No cost consideration to the City [97-2900]

The following individuals addressed the city council regarding the Prestonwood Public Improvement District:

- Carolyn Kennington, 6514 Wickerwood Dr.
- Michael Sutton, 6202 Oakleaf Rd.
- Harold E. Lilly, 5710 Nedra Way

Councilmember Greyson moved to close the public hearing, modify the draft ordinance by adding a new Section 11 to read:

"Section 11. That prior to the resolution calling for each annual public hearing on the proposed assessments for the Prestonwood Public Improvement District (not to exceed \$0.15 per \$100 of appraised value), city staff shall make reasonable efforts to provide a final certified assessment roll to the Prestonwood Homeowner's Association, Inc., for purposes of preparing the annual service plan for the Prestonwood Public Improvement District."

To renumber the existing Section 11 to be Section 12, and to approve the ordinance with those changes.

Motion seconded by Councilmember Blumer.

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

Voting Yes: [12] Poss, Salazar, Loza, Stimson, Duncan, Mayes, Mallory Caraway, Walne,
Finkelman, Blumer, Greyson, Forsythe Lill
Voting No: [1] Lipscomb
Absent: [2] Kirk, Hicks absent when vote taken

Mayor Pro Tem Poss declared the motion adopted.

Assigned ORDINANCE NO. 23251.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2901

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 49-54 was presented.

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

- Agenda item 49: Zoning Case Z967-256/1279-SW(RB)
- Agenda item 50: Zoning Case Z967-258/10155-SE(TT)
- Agenda item 51: Zoning Case Z967-264/9271-NC(CR)
- ~~Agenda item 52: Zoning Case Z967-265/9365-SE(LS)~~ [Considered individually]
- Agenda item 53: Zoning Case Z967-267/9656-C(LS)
- Agenda item 54: Zoning Case Z967-268/10361-C(LS)

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:

- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z967-258/10155-SE(TT)
- Bennett Miller, 1505 Beaumont St., the applicant, regarding Zoning Case Z967-258/10155-SE(TT)

Councilmember Lipscomb 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

September 10, 1997

97-2902

Item 49: Zoning Case Z967-256/1279-SE(RB)

Zoning Case Z967-256/1279-SE(RB), an application for an amendment to the existing deed restrictions on the Tract A parcel of property that limit floor area for retail uses on property presently zoned an RR Regional Retail District on the south side of Wheatland Road, west of Old Hickory Trail, and a resolution authorizing acceptance of a termination instrument.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2903

Item 50: Zoning Case Z967-258/10155-SE(TT)

Zoning Case Z967-258/10155-SE(TT), an application for and an ordinance granting an amendment to the ordinance for Historic Overlay District No. 78 for the American Beauty Mill at the north corner of South Ervay Street and Coombs Street to allow the property to be eligible for Tier One tax incentives on property presently zoned an IM Industrial Manufacturing District.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23252.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2904

Item 51: Zoning Case Z967-264/9271-NC(CR)

Zoning Case Z967-264/9271-NC(CR), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1310 for a Private School (All Saints Catholic School) on property presently zoned an R-5(A) Single Family District at the northwest corner of Osage Plaza Parkway and Coit Road.

(The city plan commission recommended approval.)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23253.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2905

Item 52: Zoning Case Z967-265/9365-SE(LS)

The consent zoning docket, consisting of agenda items 49-54 was presented.

Councilmember Mayes requested that consent zoning docket item 52 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket 52 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Mayes' request.

Later in the meeting zoning docket item 52 was brought up for consideration.

A public hearing was called on zoning case Z967-265/9365-SE(LS), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an MF-2(A) Multifamily District on the southwest side of Colonial Avenue, southeast of Pennsylvania Avenue.

(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/landscape plan and conditions.)

Appearing in favor of the city plan commission recommendation:

-- Murriel Webb, 3223 Colonial Ave., representing the Braswell Child Development Center

Councilmember Mayes moved to postpone consideration of the application until the September 24, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2906

Item 53: Zoning Case Z967-267/9656-C(LS)

Zoning Case Z967-267/9656-C(LS), an application for and an ordinance granting a change of zoning to Planned Development District No. 193, the Oak Lawn Special Purpose District, with an O-1 Office Subdistrict on property presently zoned as Planned Development District No. 172 for O-1 Office District Uses on the southwest side of Cedar Springs Road, southeast of Wycliff Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23254.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2907

Item 54: Zoning Case Z967-268/10361-C(LS)

Zoning Case Z967-268/10361-C(LS), an application for and an ordinance granting a CA-2 Central Area Subdistrict on property presently zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest side of Broom Street, northeast of North Lamar Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23255.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2908

Item 55: Public Hearing - Zoning Case Z967-266/9331-NE(LS)

A public hearing was called on zoning case Z967-266/9331-NE(LS), an application for an amendment to and the expansion of Planned Development District No. 379 for a Home Improvement Center, Lumber, Brick, or Building Materials Sales Yard, and MU-3 Mixed Use District Uses to include property presently zoned an MU-3 Mixed Use District at the southeast corner of Forest Lane and Forest Central Drive.

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

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

Councilmember Walne moved to postpone consideration of the application until the September 24, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2909

Item 56: Public Hearing - Zoning Case Z967-123/10209-C(RB)

A public hearing was called on zoning case Z967-123/10209-C(RB), an application for and an ordinance granting a Planned Development Subdistrict for Multiple Family Uses, SC Shopping Center Subdistrict Uses, and Commercial Parking Uses on property presently zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and the termination of Specific Use Permit No. 113 for a Cemetery on a portion of the area of request on property on the northeast side of Clyde Lane, southeast of McKinney Avenue.

(The city plan commission recommended approval of a Planned Development District, subject to a development plan and conditions, and approval of the termination of Specific Use Permit No. 113.)

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

Councilmember Forsythe Lill moved to postpone consideration of the application until the September 24, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2910

Item 57: Zoning Case Z967-238/10329-C(CR)

Zoning Case Z967-238/10329-C(CR), an application for and an ordinance granting a CS Commercial Service District on property presently zoned as Planned Development District No. 134 for Residential and Retail Uses, and an application for and an ordinance granting an amendment to the boundaries for Planned Development District No. 134 on property on the southeast side of Birch Street, northeast of Carroll 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.)

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

Councilmember Loza moved to close the public hearing, accept the recommendation of the city plan commission, pass the ordinances and approve the resoution.

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

Assigned ORDINANCE NO. 23256 and ORDINANCE NO. 23257.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2911

Item 58: Public Hearing - Zoning Case Z967-260/10357-SW(CR)

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. This application was considered by the City Council on August 27, 1997 and was taken under advisement until September 10, 1997 with the public hearing open.)

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

Deputy Mayor Pro Tem Salazar moved to close the public hearing, modify the recommendation of the city plan commission, approve the application subject to deed restrictions to be volunteered by the applicant prohibiting a pawn shop use and prohibiting any sexually oriented business use, and to bring back the ordinance and a resolution accepting the deed restrictions at a future meeting of the city council.

Motion seconded by Councilmember Mayes and unanimously adopted. (Poss, Hicks absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2912

Item 59: Public Hearing - DEVELOPMENT CODE AMENDMENT UNDER ADVISEMENT

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. This proposal was considered by the City Council on August 27, 1997 and was taken under advisement until September 10, 1997 with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Vera Herman, no address given, representing the South Oak Cliff Neighborhood Association
- Ollie Resuggie, 3307 Ramsey St.

Appearing in favor of the city plan commission recommendation:

- Celia Walker, 8617 Grumman Dr.
- Elsie Risby, 2900 Dilido Rd.
- Alma Langram, 3612 Old Town Rd.
- Pat Deaton, P.O. Box 180429, Dallas
- Martha Seafus, 1121 Via Del Rey, Mesquite, representing the Texas Professional Home Child Care Association
- Nedra Garth, no address given

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

Motion seconded by Councilmember Lipscomb.

After discussion Mayor Kirk called the vote on the motion:

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23258.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2913

Item 60: 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 September 10, 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 end August 31, 1999.

Mayor Kirk 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 Lipscomb asked that his nominee to the Community Development Commission be withdrawn.

Councilmember Stimson 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 term ending August 31, 1999, with the exception of Councilmember Lipscomb's nomination to the Community Development Commission.

Motion seconded by Councilmember Mayes and unanimously adopted. (Poss, Hicks absent when vote taken)

Mayor Kirk noted that he planned to reappoint

Dolores Barzune as chair of the Cultural Affairs Commission Board,
John Bunning as chair of the Human Services Commission,
Mamie McKnight as chair of the Landmark Commission,
Lee Simpson as chair of the Municipal Library Advisory Board,
Ruth Wyrick as chair of the Martin Luther King Jr. Community Center Board,
Pauline Kress as chair of the Senior Affairs Commission,
Huelon Harrison as chair of the Urban Rehabilitation Standards Board, and

to appoint

Levar Thomas as chair of the Youth Commission

all subject to confirmation by a majority of the city council as authorized by the City Charter.

Councilmember Mayes moved to ratify the appointment by the mayor of the persons selected to chair boards and commissions of the city.

Motion seconded by Councilmember Loza and unanimously adopted. (Poss, Hicks absent when vote taken)

Later in the meeting Councilmember Lipscomb moved to suspend the rules of the council in order to consider one additional appointment to a board.

Motion to suspend the rules seconded by Councilmember Mayes and unanimously adopted.

Councilmember Lipscomb moved to appoint Anthony (Tony) Garrett as his individual appointee to the Citizens Police Review Board.

(The city secretary noted that since the board report was distributed background checks had been completed and that Mr. Garrett meets all qualifications for service.)

Councilmember Lipscomb's motion seconded by Councilmember Mayes and unanimously adopted.

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

97-2925	ASC	ANIMAL SHELTER COMMISSION
97-2926	BOA	BOARD OF ADJUSTMENT
97-2927	CAC	CULTURAL AFFAIRS COMMISSION
97-2928	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
97-2929	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
97-2930	DCT	DALLAS COMMUNITY TELEVISION BOARD
97-2931	HSC	HUMAN SERVICES COMMISSION
97-2932	JNC	JUDICIAL NOMINATING COMMISSION
97-2933	LMC	LANDMARK COMMISSION
97-2934	MLB	MUNICIPAL LIBRARY BOARD
97-2935	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
97-2936	PAR	PARK AND RECREATION BOARD
97-2937	PLA	PERMIT AND LICENSE APPEAL BOARD
97-2938	SAC	SENIOR AFFAIRS COMMISSION
97-2939	SDD	SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD
97-2940	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD
97-2941	URS	URBAN REHABILITATION STANDARDS BOARD
97-2942	YAC	YOUTH COMMISSION
97-2943		Board officer appointments

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2914

Item 61: Authorize approval of the bi-weekly tax action

Councilmember Stimson moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Poss, Hicks, Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2915

Item 62: First reading of the appropriation ordinances for the Proposed FY1997-98 City of Dallas Operating, Grants and Trusts and Capital Budgets

Councilmember Mallory Caraway moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2916

Item 63: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of September 10, 1997 through December 31, 2004, with Innovative Global Solutions, LLC (IGS). The request is for assistance with working capital - Not to exceed \$47,000 - Financing: Enterprise Community Grant Funds

Councilmember Stimson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2917

Item 64: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of September 10, 1997 through December 31, 2004, with FPD Technologies, Inc. The request is for working capital to be used for ramp-up and development of high quality manufacturing technologies - Not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Councilmember Mayes moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Poss, Hicks, Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2918

Item 65: Authorize approval of the Texas Department of Transportation (TxDOT) Recommended Plan of Action for the Trinity Parkway Corridor Major Transportation Investment Study (MTIS) - Financing: This action has no cost consideration to the City

The following individuals addressed the city council regarding the Trinity Parkway Corridor Major Transportation Investment Study:

- John Clark, 660 S. Zang Blvd.
- Maureen Jones, 1136 Woodlawn Ave.
- David Voss, 10320 Cimmaron Tr.
- Elton Harwell, 14180 N. Dallas Pkwy., representing the Greater Dallas Planning Council
- Gregg Hamill, 400 E. Carpenter Frwy., Irving, representing the Stemmons Corridor Business Association
- Calvin Bluiett, 6326 Old Ox Rd.
- Barbara Brown, 5900 Willow Ln.

Councilmember Mallory Caraway moved to amend the draft resolution by adding new Sections 2, 3 and 4 to read:

"Section 2. That the recommended Plan of Action be expanded to include an 8th element that would include providing pedestrian, bicycle, equestrian and free automobile access to the Trinity Park in the existing Dallas Floodway.

"Section 3. That the City Council strongly endorses the continuation of a broad-based citizen involvement program during the Environmental Impact Statement (EIS) process.

"Section 4. That the design of vehicular access from I-30 and I-35 to and from the proposed Trinity Parkway be incorporated during the EIS phase of the project and that options for possible access be presented to the City Council during the EIS process."

To renumber the existing Section 2 to be Section 5, and to adopt the resolution with those changes.

Motion seconded by Councilmember Walne.

Councilmember Stimson asked Councilmember Mallory Caraway if she would accept a friendly amendment to her motion to provide that the word "incorporated" in the proposed new Section 4 be changed to "considered."

Councilmember Mallory Caraway accepted the amendment as a part of her motion. Councilmember Walne, who seconded the original motion, also accepted the amendment.

After discussion Mayor Kirk called the vote on Councilmember Mallory Caraway's motion as modified by the friendly amendment and declared the motion as modified by the friendly amendment, unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2919

Item 66: 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 Hicks moved to approve the resolution.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2920

Addendum addition 1: Authorize the 1998 update of the Employee Benefits Master Plan: The Employee Health Benefit Plan, the Retiree Health Benefit Plan, the Flexible Benefit (Section 125) Plan, the Employee Medical Spending Plan (EMSP), and the Dependent Care Assistance Program (DCAP/Section 129 Plan) to support the Employee and Retiree Health Benefits Programs - Financing: No cost consideration to the City

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2921

Addendum addition 2: Authorize Amendment No. 3 to the Software License, Maintenance and Support Agreement with Health Systems Architects, Inc. (HSA) to provide a three year maintenance agreement, technical support, training, system enhancements, and related services for the Employee Benefits CAS II Claims Processing System - Not to exceed \$130,000 - Financing: Employee Benefits Current Funds

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2922

Addendum addition 3: An ordinance abandoning a portion of Daingerfield Drive and two alley rights-of-way to Piedmont/Scyene Joint Venture, the abutting owner, containing approximately 101,178 square feet of land, located between Piedmont Drive and Hillburn Drive, authorizing the quitclaim and providing for the dedication of not less than 101,178 square feet of land needed for street and alley rights-of-way - Revenue: \$650 plus the \$20 ordinance publication fee

Councilmember Stimson moved to pass the ordinance.

Motion seconded by Councilmember Blumer and unanimously adopted.

Assigned ORDINANCE NO. 23259.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2923

EXECUTIVE SESSION

Attorney Briefings (Sec. 551.071 T.O.M.A)
-- Debra Walker, et al v. HUD, et al.

The posted executive session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 10, 1997

97-2924

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, SEPTEMBER 10, 1997

EXHIBIT C

