

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 22, 1997

97-3410

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 9:23 a.m.

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

The invocation was given by Chaplain Neil Ashcraft, Marketplace Ministries, Inc.

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 2:32 p.m.

Mayor

ATTEST:

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Assistant 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, OCTOBER 22, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, OCTOBER 22, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3411

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: Marvin Crenshaw, 5134 S. Oakland Ave.  
SUBJECT: Historic Preservation

SPEAKER: Robert Russell, 2270 Lancaster-Hutchins Rd.  
SUBJECT: Taxes/City services

SPEAKER: Virgie Lewis, 1714 Sanger Ave.  
SUBJECT: Housing

SPEAKER: Jeffery Muhammad, 2429 M.L.K. Jr. Blvd.  
SUBJECT: Panhandling ordinance

SPEAKER: Tyronne Muhammad, 2429 M.L.K. Jr. Blvd.  
SUBJECT: Panhandling ordinance

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Chief Ben Click/K.K.K./F.B.I.

SPEAKER: Patricia Hawkins, 4519 Vandervoort Dr.  
SUBJECT: Code enforcement

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3412

Item 1: Approval of Minutes

The assistant city secretary stated that the minutes of the voting agenda meeting of October 8, 1997, were not yet complete and would be distributed to the city council for approval at a future meeting.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3413

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-63, was presented for consideration.

The assistant city secretary announced that his office had received written notice from Councilmember Mallory Caraway that consent agenda item 33 had been deferred until the next voting agenda meeting of the city council and notice that the item had been deferred had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Greyson requested that consent agenda item 22 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Hicks requested that consent agenda item 36 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 36 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hicks' request.

Deputy Mayor Pro Tem Salazar requested that consent agenda item 54 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Salazar's request.

Councilmember Blumer requested that consent agenda item 55 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 55 would be considered as an individual item later in meeting, there being no objection voiced to Councilmember's request.

Councilmember Stimson moved to approve all items on the consent agenda with the exception of items 33 which had been deferred until the next voting agenda meeting of the city council and items 22, 36, 54 and 55 which would be considered later in the meeting as individual items.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3414

Item 2: Authorize a professional services contract with Raymond L. Goodson, Jr., Inc., for the preparation of engineering design plans for the construction of drainage improvements for the Kellogg Avenue and Kiest Boulevard Intersection - \$66,300 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3415

Item 3: Authorize a professional services contract with Parsons Brinckerhoff, Quade and Douglas, Inc. for the preparation of engineering design plans for the construction of erosion control improvements at 2936, 2940, and 2944 King Cole Drive, and storm drainage improvements at 2138 Lanark Avenue and 6600 Velasco Avenue - \$44,673 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3416

Item 4: Authorize a professional services contract with Turner, Collie and Braden, Inc. for the preparation of engineering design plans for the construction of flood protection improvements on Elam Creek from Lake June Road to Umphress Park - \$272,323 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3417

Item 5: Authorize a professional services contract with HDR Engineering, Inc. for construction management services of Subtitle D Cell 2 at the McCommas Bluff Landfill - Not to exceed \$22,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3418

Item 6: Authorize a professional services contract with Huitt-Zollars, Inc. to provide engineering services for the replacement or rehabilitation of wastewater mains and replacement of water mains throughout the City of Dallas - \$1,384,085 - Financing: Water Utilities Bond Funds (\$1,065,745) and Water Utilities Capital Construction Funds (\$318,340)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3419

Item 7: Authorize a contract for the construction of double tennis courts at Rose Haggar Park - V.A.  
Construction, lowest responsible bidder of six - \$57,409 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3420

Item 8: Authorize a contract for the renovation of the community swimming pool at Churchill Park - Shasta Industries, Inc., lowest responsible bidder of three - \$188,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3421

Item 9: Authorize a contract for the construction of security fencing and streetscape at City Park - Metalman, Inc., lowest responsible bidder of two - \$446,554 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3422

Item 10: Authorize a contract for the construction of site utilities at the Dallas Nature Center - Dowager Construction, Inc., lowest responsible bidder of five - \$120,600 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3423

Item 11: Authorize a contract for the construction of bridge improvements to the Zang Boulevard Bridge over the Santa Fe Railroad and Cedar Creek - Gibson & Associates, Inc., lowest responsible bidder of two - \$80,720 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3424

Item 12: Authorize a contract for the construction of erosion control improvements for Woody Branch, Phase V, located at 6605, 6611, 6617, 6623 Putting Green Drive and 6427, 6341, 6337, 6331, 6321 Rock Canyon Trail - Craig Olden, Inc., lowest responsible bidder of three - \$465,300 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3425

Item 13: Elevator/Escalator Modernization

- \* Authorize a contract for the construction of elevator/escalator modernization projects at various City of Dallas facilities - Montgomery Kone, Inc., lowest responsible bidder of two - \$2,653,444 - Financing: Capital Construction Funds (\$1,725,470), 1995 Bond Funds (\$162,000), 1985 Bond Funds (\$214,000), Current Funds (\$551,974)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3426

Item 14: Elevator/Escalator Modernization

- \* Authorize a seventy-two month maintenance service contract for elevator/escalator maintenance post modernization - Montgomery Kone, Inc., lowest responsible bidder of two - \$1,207,200 - Financing: Current Funds (subject to annual appropriation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3427

Item 15: Authorize a contract for the construction of a composite liner and leachate collection system for Cell 2 and related appurtenances at the McCommas Bluff Landfill - BEC/Allwaste, Inc., lowest responsible bidder of four - \$1,021,769 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3428

Item 16: Authorize an increase in the contract with Adams Nedderman, Inc. for miscellaneous modifications for construction of Larry Johnson Recreation Center at Willie Mae Butler Park - \$17,488, from \$1,351,095 to \$1,368,583 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3429

Item 17: Authorize an increase in the contract with Metalman, Inc. for miscellaneous items for the construction of the Kimberly Clark Chimpanzee Exhibit at the Dallas Zoo - \$20,631, from \$1,531,958 to \$1,552,589 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3430

Item 18: Authorize an increase in the contract with Big Sky Construction Company, Inc. for miscellaneous items for the construction of Grauwlyer Recreation Center - \$28,255, from \$1,563,627 to \$1,591,882 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3431

Item 19: Authorize Supplemental Agreement No. 1 to the contract with Good, Fulton & Farrell, Inc. to provide design services for the Phase II renovation of the Food and Fiber Building at Fair Park - \$144,200, from \$114,300 to \$258,500 - Financing: 1995 Bond Funds (\$24,550) and Texas Department of Agriculture Grant Funds (\$119,650)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3432

Item 20: Authorize Supplemental Agreement No. 1 to the contract with Conley Design Group, Inc. for construction administration services associated with the exterior repair and cleaning of City Hall - \$13,800, from \$26,682 to \$40,482 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3433

Item 21: Authorize Supplemental Agreement No. 1 to the contract with Hastings, Trevino & Trevino Architects, Inc. for construction documents and construction administration services associated with major maintenance repairs at Fire Station #56 located at 7040 Belt Line Road - \$9,750, from \$24,995 to \$34,745 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3434

Item 22: Authorize Supplemental Agreement No. 1 to the contract with IDA Engineering, Inc. to provide design and construction administration services for Project Group II Mechanical, Electrical and Plumbing for four city-owned and operated facilities (list attached) - \$38,750, from \$46,750 to \$85,500 - Financing: 1985 Bond Funds (\$20,250), Capital Construction Funds (\$18,500)

At the time the consent agenda was presented for discussion Councilmember Greyson requested that consent agenda item 22 be considered as an individual item. Mayor Kirk stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting agenda item 22 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Duncan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3435

Item 23: Authorize Supplemental Agreement No. 1 to the contract with Freese and Nichols, Inc. for mechanical design and construction administration services associated with the chiller replacement at the Dallas Central Library and the Horticulture Building at Fair Park - \$90,200, from \$118,500 to \$208,700 - Financing: 1995 Bond Funds (\$15,000), Capital Construction Funds (\$75,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3436

Item 24: Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. to perform consulting services for the replacement of the main sanitary sewer drain line for the Kiest Park Recreation Center - \$8,800, from \$24,000 to \$32,800 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3437

Item 25: Authorize a benefit assessment hearing to be held on December 10, 1997, to receive citizen comments, for street paving, storm drainage, water and wastewater main improvements on Mohawk Drive from Anson Road to Roanoke Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3438

Item 26: Authorize the rejection of bids received for alley improvements between Amherst Avenue and Lovers Lane from existing pavement to Devonshire Drive, 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

October 22, 1997

97-3439

Item 27: Authorize the rejection of bids received for alley improvements between La Cabeza Drive and La Manga Drive from Spring Creek Road to La Manga Drive, 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

October 22, 1997

97-3440

Item 28: Authorize acceptance of the Special Commissioners' Award as final settlement in condemnation for acquisition of approximately 14,569 square feet of vacant land, from Elmo and Darlene S. Blount, located at 5416 Aladdin Drive in the City of Irving, Texas needed for the D-FW International Airport Expansion project - \$41,650 - 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

October 22, 1997

97-3441

Item 29: An ordinance abandoning an alley to Carleton-Cityplace II, Ltd., the abutting owner, containing approximately 1,367 square feet of land, located near the intersection of Lemmon Avenue and Peak Street and authorizing the quitclaim - Revenue: \$9,296 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23303.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3442

Item 30: An ordinance abandoning an alley to Jackie Glynn Gross, Sr., the abutting owner, containing approximately 50,664 square feet of land, located near the intersection of Garden Grove Road and Ravenview Road and authorizing the quitclaim - Revenue: \$4,306 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23304.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3443

Item 31: An ordinance abandoning a portion of a water easement to Presbyterian Healthcare Resources, the abutting owner, containing approximately 5,295 square feet of land, located near the intersection of Stults Road and Shepherd Drive and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23305.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3444

Item 32: An ordinance abandoning a sight easement, an alley and street right-of-way to Oak Creek Partners, Ltd., the abutting owner, containing approximately 6,167 square feet of land located near the intersection of Haskell Avenue and Capitol Avenue and authorizing the quitclaim - Revenue: \$47,178 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23306.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3445

Item 33: An ordinance amending Chapter 2 of the Dallas City Code to allow a credit for the abandonment of public rights-of-way to be used for private streets, alleys and drives in residential developments and to provide requirements and fees for obtaining the credit -  
Financing: No cost consideration to the City

The assistant city secretary announced that Councilmember Mallory Caraway had deferred consideration of consent agenda item 33 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3446

Item 34: Authorize a twenty-four month multiple award price agreement for fuel with the lowest responsible bidders of six - Truman Arnold Companies, Sun Coast Resources, Inc., Petroleum Traders Corp., and Jack Ray & Sons Oil Company, Inc. - Not to exceed \$11,014,580 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3447

Item 35: Authorize a twenty-four month multiple award price agreement for valves and fittings with the lowest responsible bidders of ten - ACT Pipe & Supply, Clow Valve Company, Gulf Valve Company, M & H Valve Company, Metro Valve and Pipe, Mueller Company, Municipal Valve Corp., U.S. Filter Distribution Group, United States Pipe & Foundry Company - Not to exceed \$1,499,790 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3448

Item 36: Authorize a thirty-six month price agreement for liquid chlorine delivered in tanker trucks with the lowest responsible bidder of two - DPC Industries, Inc. - Not to exceed \$5,092,200 - Financing: Water Utilities Current Funds

At the time the consent agenda was presented for discussion Councilmember Hicks requested that consent agenda item 36 be considered as an individual item. Mayor Kirk stated that consent agenda item 36 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 36 was brought up for consideration.

Councilmember Hicks moved to reject the item.

Motion seconded by Councilmember Mallory Caraway.

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

Voting Yes: [14] Poss, Salazar, Loza, Stimson, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Voting No: [1] Kirk

Mayor Kirk declared the item defeated.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3449

Item 37: Authorize the ratification of an emergency repair of four (4) escalators at the Dallas Convention Center - Montgomery Kone, Inc. - \$246,854 - Financing: Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3450

Item 38: Authorize the ratification of an emergency repair of two (2) 900-ton Trane Chillers at the Dallas Convention Center - Aggreko, Inc. - \$42,069 - Financing: Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3451

Item 39: Authorize payment of a judgment in a lawsuit styled, Cornelia Jenkins v. City of Dallas and William Cody, Cause No. 95-02772-A - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3452

Item 40: Authorize settlement of a lawsuit styled, Brenda O'Neal v. Rogelio Herrera and City of Dallas, Cause No. 97-02183-H - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3453

Item 41: Authorize settlement of a lawsuit styled, Robert Michael Cantrell v. Martin Bosse and the City of Dallas, Cause No. 97-00373-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3454

Item 42: Authorize a professional services contract with HNTB Corporation to provide consultant services for the replacement of the computerized parking and taxi revenue control system at Dallas Love Field Airport - Not to exceed \$69,941 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3455

Item 43: A resolution establishing the communications policies to be followed between the City and Southwestern Bell Telephone Company and between the City and General Telephone Company of the Southwest during negotiations for renewal of the companies' respective franchise agreements - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3456

Item 44: Authorize an amendment to the tangible personal property tax abatement agreement with First American Real Estate Information Services, Inc., approved by the City Council on February 12, 1997, pursuant to Resolution Number 97-0453, to (1) include First American Real Estate Information Services, Inc.'s lessor, Stemmons Empire Associates, L.P., a Texas Limited Partnership, as a party to the tax abatement agreement; (2) "front-end-load" the abatement of taxes on the new tangible personal property under the tax abatement agreement by increasing the incentive from a 50% tax abatement for 10 years to a 90% tax abatement for 5 years; and (3) grant a 100% development fee rebate in an amount not to exceed \$25,000 - Financing: Public/Private Partnership Fund - Revenue: First year tax revenue estimated at \$13,402 - Five-year tax revenue estimated at \$67,010 (Estimated revenue foregone for five-year tangible personal property abatement \$603,090)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3457

Item 45: Authorize an amendment to Resolution No. 97-0158 approved on January 8, 1997, authorizing a real property tax abatement agreement with American Pallet Recyclers, Inc. to add its lessor Ostrovitz and Gwinn, LLC as a party to the tax abatement agreement for property located at 2401 Vinson Street, Dallas, Texas 75217 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3458

Item 46: Appointments to the Privatization Technical Subcommittee (TSC) to fill two vacancies -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3459

Item 47: Authorize an Interlocal Agreement with the Texas State Library for microfilm original microfilmed building inspection permit records - Not to exceed \$35,000 - Financing: Building Inspection Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3460

Item 48: Authorize the third twelve (12) month renewal option, beginning October 1, 1997 through September 30, 1998, to the contract with the Southern Dallas Development Corporation to manage the City's Southern Dallas Economic Development Program promoting economic development and revitalization of Southern Dallas, Walker Consent Decree Areas, Enterprise Community, and the Enterprise Zones - Not to exceed \$350,000 - Financing: 1997-98 Community Development Grant Funds (\$200,000) and 1995-96 Community Development Grant Funds (\$150,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3461

Item 49: Authorize a contract with the University of Iowa for specialized family case management training for caseworkers in the West Dallas Jobs and Training Partnership's self-sufficiency program - \$22,356 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3462

Item 50: Authorize a contract through the Cultural Organization Program with the Dallas Museum of Natural History Association - \$606,778 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3463

Item 51: Authorize contracts with cultural organizations for the provision of services to the City through the Cultural Organization Program (list attached) - Not to exceed \$3,266,323 - Financing: Current Funds (\$3,189,238) and Texas Commission on the Arts (\$77,085)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3464

Item 52: Authorize a contract renewal with the African American Museum - \$50,000 - Financing:  
1997-98 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3465

Item 53: Authorize the exercise of the third renewal option to extend for one year the Food and Beverage Sales and Concessions contract at Reunion Arena with the Host Marriott Corporation from December 12, 1997 to December 11, 1998 - Estimated Revenue: \$1,748,385

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3466

Item 54: Authorize the City Manager, or his designee, to implement the Loop 12 HOMEWORKS! Program in alliance with the Federal Home Loan Mortgage Corporation (Freddie Mac) to be administered by the Housing Department; authorize the approval of the Program Statement for the Loop 12 HOMEWORKS! Program; authorize the City Manager, or his designee, to approve rehabilitation loans and/or grants of funds for the benefit of low and moderate income persons in connection with the approved Program Statement; authorize the City Manager, or his designee, to execute a Rehabilitation and Reserve Fund Agreement with Freddie Mac and Rehabilitation Loan Agreements with approved Freddie Mac lenders and other documents necessary to implement the Loop 12 HOMEWORKS! Program - \$900,000 - Financing: Frost-Leland Funds (\$400,000) and 1997-98 Community Development Grant Funds (\$500,000)

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Duncan.

Councilmember Duncan moved to amend the motion by adding that the city will waive its fees in conjunction with this program.

Motion seconded by Councilmember Hicks.

Mayor Kirk informed the council that the city attorney had advised that Councilmember Duncan's amendment as proposed was out of order at that time since that amendment was not posted and the authorization is not included in that ordinance and the council would not be able to act on the motion in its' present form.

Councilmember Stimson invited Councilmember Duncan to participate in the Housing and Neighborhood Development committee in a joint session with the Business and Commerce committee to discuss tax abatements and development fee rebates concerning housing, scheduled for November.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
97-3466

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Councilmember Duncan moved to amend the motion, by requesting that the waiver of fees in conjunction with this program be placed in the appropriate form and with the appropriate notice on the next meeting of the city council.

Mayor Kirk declared the motion was not in order.  
Councilmember Duncan appealed the decision of the chair.

Mayor Kirk asked Councilmember Duncan to restate the motion. Councilmember Duncan said the motion is to place the waiver in the appropriate format and the appropriate notice in conjunction with the HOMEWORKS Program on the next council agenda.

Motion seconded by Councilmember Hicks.

Deputy Mayor Pro Tem Salazar requested that the item be placed on the next Housing and Development Committee meeting and recommended a joint meeting with the Business and Commerce committee.

Councilmember Walne asked Councilmember Duncan to request that the item come back to council after being evaluated for the total impact on the waiver of fees with respect to other programs.

Councilmember Stimson moved a friendly amendment that the item be referred to the Business and Commerce and Housing and Neighborhood Development committees for a joint meetings and bring it forward to the council in the time frame they deem appropriate.

Motion seconded by Councilmember Lipscomb.

Mayor Kirk called the vote on Councilmember Stimson's substitute motion to refer the item to the Business Commerce and Neighborhood Housing Services committees and have them bring it back to the council:

Voting Yes: [15] Kirk, Poss, Salazar, Loza, Stimson, Mallory Caraway, Mayes, Lipscomb,  
Walne, Finkelman, Greyson, Forsythe Lill  
Voting No: [3] Duncan, Hicks, Blumer

Mayor Kirk declared the motion adopted.

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97-3466

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Mayor Kirk then called the vote on Deputy Mayor Pro Tem Salazar's main motion to approve the HOMEWORKS program as amended by Councilmember Stimson.

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3467

Item 55: Authorize the acceptance of a federal grant program titled Major Urban Resources Libraries (MURLS) administered by the Texas State Library and execution of the grant agreement to purchase library materials and enhance electronic resources provided by the Dallas Public Library for the period October 1, 1997 through September 30, 1998 - \$150,415 - Financing: Texas State Library and Archives Commission Grant Funds

At the time the consent agenda was presented for discussion Councilmember Blumer requested that consent agenda item 55 be considered as an individual item. Mayor Kirk stated that consent agenda item 55 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Later in the meeting agenda item 55 was brought up for consideration.

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3468

Item 56: Authorize the City Manager to execute an agreement with the AMIGOS Bibliographic Council, Inc. for continued participation by the Dallas Public Library in the computerized data access program for bibliographic and consulting services for a twelve-month period from October 1, 1997 through September 30, 1998 - Not to exceed \$93,000  
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3469

Item 57: Authorize approval of the modification of the provision in Ordinance No. 21874, that established the Preservation Incentives Program, that Council be notified when approved abatements reach \$8 million to add an additional review at \$9.5 million - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3470

Item 58: Authorize a Preservation Incentives Tax Abatement for 108 S. Akard Street, Dallas, Texas (Magnolia Building) - Revenue: First year tax revenue at \$0 (Estimated revenue foregone for 12 year abatement \$1,740,357)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3471

Item 59: Authorize an amendment to the Master License Agreement with Dallas Computer Services, Inc. for the annual license fee and usage fees for the Texas Drivers License Inquiry System for the period October 1, 1997 through September 30, 1998 - Not to exceed \$26,400 - Financing: State Grant Program Income Funds (\$12,400) and Current Funds (\$14,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3472

Item 60: Authorize an extension of the City's Substandard Housing Assistance Repair (SHARE) Demonstration Program and authorize a replacement housing payment and a disbursement of funds from the SHARE Program for Floyd J. Thomas and Theresa Thomas as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$40,000 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3473

Item 61: Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair (SHARE) Demonstration Program for homeowner Augustine Perez as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$40,000 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3474

Item 62: Authorize renewal of the interlocal agreement with Dallas County to coordinate the planning and implementation of a Household Hazardous Waste (HHW) collection system and to provide public education aimed at decreasing the generation of HHW in Dallas - Not to exceed \$300,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3475

Item 63: Authorize a contract with Peninsula Golf, Inc. to provide interruptible untreated water from Lake Lewisville for five years with two extensions of five years each for irrigation of the Stewart Peninsula Golf Course - Revenue: \$13,151 in 1997-98, \$12,901 annually thereafter

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3476

Item 64: Public Hearing

A public hearing was called to receive citizen comments on the proposed use of a portion of Pegasus Plaza for other than park purposes and a resolution accepting the deed restriction amendment and designating an area for a park drive to serve the plaza and adjacent private development - Financing: No cost consideration to the City.

The following individual addressed the city council regarding the Pegasus Plaza:

-- Susan Meade, 1445 Ross Ave., representing the Holz Corporation

Councilmember Loza moved to close the public hearing and approve the resolution.

Motion seconded by Councilmember Stimson and unanimously adopted. (Kirk, Stimson, Forsythe Lill absent when vote taken

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3477

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 65-74 was presented.

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

|  |                           |
|--|---------------------------|
| <del>Agenda item 65: Zoning Case Z967-229/10313-SW(RB)</del> | [Deleted on the addendum] |
| <del>Agenda item 66: Zoning Case Z967-252/1308-NE(RB)</del>  | [Considered individually] |
| Agenda item 67: Zoning Case Z967-257/10136-NC(RB)            |                           |
| Agenda item 68: Zoning Case Z967-284/10366-SE(RB)            |                           |
| <del>Agenda item 69: Zoning Case Z967-296/10217-SE(LS)</del> | [Considered individually] |
| Agenda item 70: Zoning Case Z967-298/10377-NE(KC)            |                           |
| <del>Agenda item 71: Zoning Case Z967-300/10378-SE(KC)</del> | [Considered individually] |
| Agenda item 72: Zoning Case Z967-302/10380-NC(KC)            |                           |
| Agenda item 73: Zoning Case Z967-303/5729-NC(RB)             |                           |
| Agenda item 74: Zoning Case Z967-314/2654-NC(CR)             |                           |

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

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

-- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z967-300/10378-SE(KC)

Cherryl J. Peterman, director of planning, requested that consent zoning docket item 71 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 required a simple majority vote of member of the council in that there is an alternate ordinance and one change since the city plan commission that we recommend that you adopt and we will read it into the record.

Councilmember Mayes 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 Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL



October 22, 1997

97-3478

Item 65: Zoning Case Z967-229/10313-SW(RB)

Zoning Case Z967-229/10313-SW(RB), an application for and an ordinance granting an RR Regional Retail District on property presently zoned an LO-3 Limited Office District and an MF-2(A) Multifamily District at the northeast corner of Beckleymeade Avenue and Polk Street and a resolution authorizing acceptance of deed restrictions volunteered by the applicant, including property presently zoned an RR Regional Retail District at the southeast corner of Polk Street and I-20.

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3479

Item 66: Zoning Case Z967-252/1308-NE(RB)

The consent zoning docket, consisting of agenda items 65-78 was presented.

Mayor Pro Tem Poss requested that consent zoning docket item 66 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 66 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Mayor Pro Tem Poss' request.

Later in the meeting zoning docket item 66 was brought up for consideration.

A public hearing was called on zoning case Z967-252/1308-NE(RB), an application for an amendment to the existing deed restrictions on the Tract I parcel of the property to delete the restriction that limits uses to parking on property presently zoned a CR Community Retail District at the west corner of Gaston Parkway and Magellan Circle, and a resolution providing for the acceptance of an amending deed restriction instrument.)

(The city plan commission recommended approval.)

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

Mayor Pro Tem Poss moved to postpone consideration of the application until the November 12, 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. (Kirk, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3480

Item 67: Zoning Case Z967-257/10136-NC(RB)

Zoning Case Z967-257/10136-NC(RB), an application for an MU-2 Mixed Use District on property presently zoned an NO(A) Neighborhood Office District and an MC-1 Multiple Commercial District, and termination of existing deed restrictions at the north corner of Midpark Road and Goldmark Drive.

(The city plan commission recommended approval, subject to new deed restrictions volunteered by the applicant.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3481

Item 68: Zoning Case Z967-284/10366-SE(RB)

Zoning Case Z967-284/10366-SE(RB), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District at the southeast corner of Military Parkway and Academy Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23307.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3482

Item 69: Zoning Case Z967-296/10217-SE(LS)

The consent zoning docket, consisting of agenda item 65-78 was presented.

Councilmember Mayes requested that consent zoning docket item 69 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 69 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 69 was brought up for consideration.

A public hearing was called on zoning case Z967-296/10217-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 Wendelkin Street, southeast of Lenway Street.

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

Appearing in opposition to the city plan commission recommendation:

- Kathlyn Gilliam, 3817 Wendelkin St.

Appearing in favor of the city plan commission recommendation:

- Gloria Nixon, 3505 Wendelkin St.
- Ernestine Lee, 3507 Wendelkin St.
- Elsie Risby, 2900 Dilido St.

Councilmember Mayes moved to postpone consideration of the application until the December 10, 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. (Kirk, Salazar absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3483

Item 70: Zoning Case Z967-298/10377-NE(KC)

Zoning Case Z967-298/10377-NE(KC), an application for and an ordinance granting a Planned Development District for Mini-warehouse, Outside Storage, and MU-3 Mixed Use District Uses on property presently zoned an MU-3 Mixed Use District at the northeast corner of Greenville Avenue and Northwest Highway.

(The city plan commission recommended approval of a Planned Development District for Mini-warehouse, Outside Storage, and MU-3(SAH) Mixed Use (Standard Affordable Housing) District Uses, in lieu of the requested MU-3 District Uses, subject to a development plan and conditions .)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23308.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3484

Item 71: Zoning Case Z967-300/10378-SE(KC)

The consent zoning docket, consisting of agenda item 65-78 was presented.

Cherryl J. Peterman, director of planning, requested that consent zoning docket item 71 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 the director of planning.

Mayor Kirk stated the consent zoning docket item 71 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 Z967-300/10378-SE(KC), an application for an ordinance granting a Planned Development District for CR Community Retail District Uses, a Child-care facility and Industrial (inside) for Light Manufacturing Uses on property presently zoned a CR Community Retail District and an R-5(A) Single Family District on both sides of Brahear Street between Troy Street and Pacific Avenue.

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

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

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

Motion seconded by Councilmember Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
97-3484

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CITY OF DALLAS, TEXAS

Later in the meeting, Councilmember Mayes moved to reconsider the previous vote on her motion concerning the application and ordinance, and stated that she had voted with the prevailing side when the vote was taken.

Motion seconded by Councilmember Hicks.

Deputy Mayor Pro Tem Poss declared the motion to reconsider was adopted, and that Councilmember Mayes' motion concerning the alternate ordinance was before the council for reconsideration.

Councilmember Mayes moved that the council adopt the alternate ordinance as presented by Ms. Peterman which reads: "That the six (6) month requirement for completion of landscaping be changed to require completion in accordance with Article X of the Dallas Development Code, as amended" and pass the ordinance with that change.

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23309.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3485

Item 72: Zoning Case Z967-302/10380-NC(KC)

Zoning Case Z967-302/10380-NC(KC), an application for and an ordinance granting a CR Community Retail District on property presently zoned a TH-3(A) Townhouse District at the northwest corner of the future right-of-way of Frankford Road and State Highway 190.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23310.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3486

Item 73: Zoning Case Z967-303/5729-NC(RB)

Zoning Case Z967-303/5729-NC(RB), an application for and an ordinance granting an amendment to Specific Use Permit No. 641 for a Private Country Club on property presently zoned an R-1ac(A) Single Family District and an MF-1(A) Multifamily District on an area generally bounded by the Dallas North Tollway, the Dallas County Line, White Rock Creek and Keller Springs Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23311.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3487

Item 74: Zoning Case Z967-314/2654-NC(CR)

Zoning Case Z967-314/2654-NC(CR), an application for and an ordinance granting an amendment to the conceptual plan, the conceptual landscape plan, and conditions for Planned Development District No. 271 for Single Family and Private Recreation Club or Area Uses, and adoption of a development/landscape plan for the proposed Tract 6 portion of the property located at the southeast corner of Westgrove Drive and Angleview Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23312.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3488  
97-3489  
97-3490  
97-3491

Item 75: Public Hearing - DEVELOPMENT CODE AMENDMENTS - CONSENT

A public hearing was called to receive citizen comments on consideration of an amendment to Section 51A-4.212 (10.1) in the Dallas Development Code pertaining to the "Tower/antenna for cellular communication" use to allow a tower/antenna in a residential district if certain criteria are met, and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

- Marcus Woods, 5335 Ridgelawn Dr., representing ATT Wireless
- Joe Martin, 3105 Gladiolus Ln.

Councilmember Forsythe Lill moved to defer the action on items 75-77, leave the hearing open and have the full council briefed on the items.

Motion seconded by Councilmember Hicks.

Councilmember Mallory Caraway asked Councilmember Forsythe Lill if she would accept a friendly amendment to her motion that item 75 be briefed before the Transportation Telecommunications Committee, prior to council action.

Councilmember Forsythe Lill accepted the amendment as part of her motion.  
Councilmember Hicks who seconded the original motion, also accepted the amendment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL  
97-3488, 97-3489, 97-3490, 97-3491

Page 2

October 22, 1997

Councilmember Greyson asked Councilmember Forsythe Lill if she would accept a friendly amendment to her motion that items 76 and 77 be briefed before the Housing and Neighborhood Development Committee prior to council action.

Councilmember Forsythe Lill accepted the amendment as part of her motion.  
Councilmember Hicks who seconded the original motion, also accepted the amendment.

Councilmember Blumer asked Councilmember Forsythe Lill if she would accept a friendly amendment that item 78 be briefed before the full council prior to council action.

Councilmember Forsythe Lill accepted the amendment as part of her motion.  
Councilmember Hicks who seconded the original motion, also accepted the amendment.

Councilmember Finkelman asked Councilmember Forsythe Lill if she would accept a friendly amendment that item 78 also be referred to the Park and Recreation Board to examine its implications and whether or not it achieves the goals for which it was designed prior to a full council briefing.

Councilmember Forsythe Lill accepted the amendment as part of her motion.  
Councilmember Hicks who seconded the original motion, also accepted the amendment.

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

|             |      |  |
|-------------|------|--|
| Voting Yes: | [13] | Poss, Loza, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill |
| Voting No:  | [0]  |  |
| Absent:     | [2]  | Kirk, Salazar  |

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3492

Item 79: Public Hearing - Zoning Case Z967-286/10367-SE(CR)

A public hearing was called on zoning case Z967-286/10367-SE(CR), an application for and an ordinance granting an MF-2(A) Multifamily District on property presently zoned an R-5(A) Single Family District on the southeast side of Polly Street, northeast of Meadowview Street.

(The city plan commission recommended approval.)

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

Councilmember Hicks 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, Salazar absent when vote taken)

Assigned ORDINANCE NO. 23313.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3493

Item 80: Public Hearing - Zoning Case Z967-222/10310-C(KC)

A public hearing was called on zoning case Z967-222/10310-C(KC), an application for a P Parking Subdistrict on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of Throckmorton Street, northeast of Maple Avenue.

(The city plan commission recommended denial without prejudice.)

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

Appearing in favor of the city plan commission recommendation:

-- Michael Coker, 6350 LBJ Frwy., representing the applicant

Councilmember Loza moved postpone consideration of the application until the November 12, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3494

Item 81: Public Hearing - Zoning Case Z967-132/10222-NW(DW)

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

(The city plan commission recommended approval for a one-year time period, subject to a site plan and conditions. This application was considered by the City Council on October 8, 1997 and was taken under advisement until October 22, 1997 with the public hearing open.)

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

Councilmember Loza moved to postpone consideration of the application until the November 12, 1997 voting agenda meeting of the city council and to continue the public hearing at that time.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3495

Public Hearing - BENEFIT ASSESSMENT HEARING

Alley between Bickers Street and Life Avenue from Puget Street to Harston Street

- Item 82: \* Benefit assessment hearing for alley paving and wastewater main improvements for the above listed alley
- Item 83: \* Ordinance levying benefit assessments for alley paving and wastewater main improvements for the above listed alley - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving and wastewater main improvements for alley between Bickers Street and Live Avenue from Puget Street to Harston Street.

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

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

Motion seconded by Councilmember Walne and unanimously adopted. (Kirk, Salazar, Mallory Caraway absent when vote taken)

Assigned ORDINANCE NO. 23314.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3496

Public Hearing - BENEFIT ASSESSMENT HEARING

Alley between La Cabeza Drive and La Manga Drive from Spring Creek Road to La Manga Drive

- Item 84: \* Benefit assessment hearing for alley paving for the above listed alley
- Item 85: \* Ordinance levying benefit assessments for alley paving for the above listed alley -  
Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving for alley between La Cabeza Drive and La Manga Drive from Spring Creek Road to La Manga Drive.

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

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

Motion seconded by Councilmember Hicks. and unanimously adopted. (Kirk, Salazar, Mallory Caraway absent when vote taken)

Assigned ORDINANCE NO. 23315.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3497

Public Hearing - BENEFIT ASSESSMENT HEARING

Alley between Edgefield Avenue and Windomere Avenue from Burlington Boulevard to Brooklyn Avenue

- Item 86: \* Benefit assessment hearing for alley paving, water and wastewater main improvements for the above listed alley
- Item 87: \* Ordinance levying assessments for alley paving, water and wastewater main improvements for the above listed alley
- Item 88: \* Authorize a contract for the construction of alley paving, water and wastewater main improvements for the above listed alley - Camino Construction, Inc., lowest responsible bidder of four - \$170,858 - Financing: 1995 Bond Funds (\$47,470), Water Utilities Bond Funds (\$62,401), Water Utilities Capital Construction Funds (\$60,987)

A public hearing was called to receive comments on a proposal to levy benefit assessments for alley paving, water and wastewater main improvements for alley between Edgefield Avenue and Windomere Avenue from Burlington Boulevard to Brooklyn Avenue.

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

Councilmember Loza 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, Salazar absent when vote taken)

Assigned ORDINANCE NO. 23316.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3498

Public Hearing - BENEFIT ASSESSMENT HEARING

Street Group 420

Lapsley Street from Singleton Boulevard to Pueblo Street  
Pueblo Street from Lapsley Street west to Dead End

- Item 89: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the streets on the attached list
- Item 90: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the streets on the attached list
- Item 91: \* Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements for the streets on the attached list - BCI Utility Construction, Inc., lowest responsible bidder of five - \$297,414 - Financing: 1995 Bond Funds (\$189,984), Water Utilities Bond Funds (\$43,955), Water Utilities Capital Construction Funds (\$63,475)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 420.

No one appeared in opposition to or in favor of the proposed improvements or the 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, Salazar absent when vote taken)

Assigned ORDINANCE NO. 23317.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3499

Item 92: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The assistant 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 October 22, 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.

Councilmember Lipscomb 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 terms ending August 31, 1997.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

Councilmember Loza moved to appoint Olga S. Cardenas to a full-council position on the Civil Service Board, and appoint Michael Yancey to a full-council position to the Housing Finance Corporation Board for the term ending, August 31, 1999.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Councilmember Lipscomb moved to appoint Beverly Mitchell Brooks to a full-council position on the Housing Finance Corporation Board for the term ending, August 31, 1999.

Motion seconded by Councilmember Stimson and unanimously adopted.

Later in the meeting, Councilmember Duncan moved to renominate Roetta Barrett-White to an individual position on the Urban Rehabilitation Standards Board for the terms ending August 31, 1999.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

97-3499

October 22, 1997

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

the board.]

|         |     |                                      |
|---------|-----|--------------------------------------|
| 97-3513 | ASC | ANIMAL SHELTER COMMISSION            |
| 97-3514 | CSB | CIVIL SERVICE BOARD                  |
| 97-3515 | HFC | HOUSING FINANCE CORPORATION BOARD    |
| 97-3516 | HSC | HUMAN SERVICES COMMISSION            |
| 97-3517 | JNC | JUDICIAL NOMINATING COMMISSION       |
| 97-3518 | PLA | PERMIT AND LICENSE APPEAL BOARD      |
| 97-3519 | SAC | SENIOR AFFAIRS COMMISSION            |
| 97-3520 | URS | URBAN REHABILITATION STANDARDS BOARD |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3500

Item 93: Authorize adoption of the City Council Calendar for 1998 - Financing: No cost consideration to the City

Mayor Kirk moved to defer the item until the November 12, 1997 voting agenda meeting of the city council.

Motion seconded by Councilmember . and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3501

Item 94: 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 the Dallas Housing Authority. The request is for operating capital, equipment, supplies and construction of the Cedar Springs Grocery Store community development project - Not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3502

Item 95: Authorize an infrastructure cost participation agreement with LPC Park Limited Partnership in an amount equal to 30% of the eligible public infrastructure improvements or \$211,500, whichever is less, for the purpose of providing infrastructure improvements serving property located at the southwest corner of Central Expressway and Northwest Highway, Dallas, Texas, payable only after completion of improvements as evidenced by approval of the improvements by the director of Public Works and Transportation - Not to exceed \$211,500 - Financing: Public/Private Partnership Fund

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Blumer.

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

Voting Yes: [13] Kirk, Poss, Salazar, Loza, Hicks, Mallory Caraway, Mayes, Lipscomb,  
Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Voting No: [2] Stimson, Duncan

Mayor Kirk declared the motion adopted.

[Later in the meeting Councilmember Stimson asked to be shown voting "Yes" on this item.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3503

Item 96: Reinvestment Zone Number Five (City Center TIF District)

- \* Authorize a development agreement with Walt Hall Kirby, Associates, Ltd. for the funding and construction of certain streetscape and lighting improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District), in an amount not to exceed \$250,000 (to be advanced by the developer and reimbursed by the City) - Financing: City Center TIF District Funds

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3504

Item 97: Reinvestment Zone Number Five (City Center TIF District)

- \* Authorize a purchase and sale agreement with Walt Hall Kirby Associates, Ltd. to purchase a historical facade easement on the Kirby Building, upon completion of the building, in an amount not to exceed \$900,000 - Financing: City Center TIF District Funds (subject to availability of City Center TIF District funding and future City Council approval of funding at the time of issuance of Certificate of Occupancy)

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3505

Item 98: Reinvestment Zone Number Five (City Center TIF District)

- \* Authorize a resolution declaring the intent of the City to reimburse Walt Hall Kirby Associates, Ltd. (developer) for funds advanced pursuant to a development agreement between the City and the developer, for certain public infrastructure improvements located in the City Center TIF District - Financing: No cost consideration to the City

Councilmember Loza moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3506

Item 99: A resolution supporting the candidacy of Mary Poss for the Board of Directors of the National League of Cities (via Mayor Kirk)

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3507

Item 100: Authorize the City Manager to execute a five-year Lease Agreement for approximately 1,688 square feet of terminal space between the City of Dallas and Paul Torres, Sr. at Redbird Airport - Revenue: \$7,300 estimated annual rental income

Councilmember Stimson moved to reject the lease and asked the city manager to go out for proposals at Red Bird Airport.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3508

Addendum addition 1: Authorize contracts for FY 1997-98 City-Sponsorship of Special Events Program - Not to exceed \$75,000 - Financing: Current Funds

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Mayor Kirk declared the motion adopted on a divided voice vote.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3509

Addendum addition 2: Authorize a resolution consenting to the issuance of bonds by the Bell County Industrial Development Corporation, appointing a hearing officer, authorizing a public hearing and approval of such bonds, and consenting to the partial assignment and assumption of the lease to develop landfill gas between the City of Dallas and Dallas Landfill Gas Production, L.L.C. and related assignments, subleases and encumbrances  
- Financing: No cost consideration to the City

Councilmember Stimson moved to approve the resolution.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3510

Addendum addition 3: Authorize a professional services contract with the Enterprise Foundation to provide financial services and the administration of the Mortgage Assistance Program (MAP) for a twelve-month period with two twelve-month renewal options, which includes the Dallas Affordable Housing partnership (DAHP), the Upfront Cost Assistance Program (UCAP) and a homebuyer education program to include \$4,794,738 for programs and \$450,000 for administrative costs (direct service delivery costs and administrative costs) - \$5,244,738 - Financing: Current Funds (\$387,760), 1997-98 Community Development Grant Funds (\$1,468,978), and 1997-98 HOME Funds (\$3,388,000)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3511

EXECUTIVE SESSION

Attorney Briefings (Sec. 551.071 T.O.M.A)

- Debra Walker, et al v. HUD, et al.
- City of Fort Worth v. City of Dallas, et al., Cause No. 48-171109-97 (lawsuit regarding the Shelby Amendment to Wright Amendment)

The posted executive session was not held.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 22, 1997

97-3512

## 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, OCTOBER 22, 1997

EXHIBIT C