

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 1997

97-3601

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 9:33 a.m.

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

The invocation was given by Sr. Cpl. Ben Nabors, chaplain, Dallas Police Department.

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 5:02 p.m.

Mayor
ATTEST:

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, NOVEMBER 12, 1997

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 12, 1997

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3602

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: Dwayne Dallas, 6266 St. Albans Dr.
SUBJECT: Dallas Love Field

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Chief Randy Hampton, K.K.K., F.B.I., and DISD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3603

Item 1: Approval of Minutes

The minutes of the briefing meeting of October 1, 1997, the voting agenda meeting of October 8, 1997 and the briefing meeting of October 15, 1997 were presented for approval.

Councilmember Loza moved to approve the minutes.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3604

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-76, was presented for consideration.

Councilmember Forsythe Lill requested that consent agenda items 21, 22, 23 and 42 be removed from the consent agenda to be considered as an individual items Mayor Kirk stated that consent agenda items 21, 22 and 23 would be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Duncan requested that consent agenda item 41 be removed from the consent agenda to be considered as an individual items Mayor Kirk stated that consent agenda item 41 would be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Duncan's request.

Councilmember Blumer requested that consent agenda item 63 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 63 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Loza moved to approve all items on the consent agenda with the exception of items 21, 22, 23, 41, 42 and 63 which would be considered later in the meeting as individual items.

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

Later in the meeting, Councilmember Lipscomb requested that approval of the consent agenda be reconsidered due to the fact that he had a conflict of interest on agenda item 11.

Mayor Pro Tem Poss moved to reconsider the consent agenda.

Motion seconded by Councilmember Loza and unanimously adopted.

Councilmember Stimson moved approval of the consent agenda.

Motion seconded by Councilmember Mayes and unanimously adopted. (Lipscomb abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3605

Item 2: Authorize professional services contracts with Mesa Design Associates to provide design services for playground replacement at Briar Gate, Twin Falls and Meadowstone Parks (\$18,250); Freese and Nichols, Inc. to provide design services for trail renovation and parking improvements at Bachman Lake Park (\$39,725); Paragon Project Resources, Inc. to provide design services for pool renovation at Fretz, Kidd Springs and Walnut Hill Parks (\$45,750); Armstrong-Berger, Inc. to provide design services for playground replacement at Exline, Mattie Nash/Myrtle Davis and Stafford Parks (\$16,200) - \$119,925 - Financing: 1995 Bond Funds (\$80,200) and 1997-98 Community Development Grant Funds (\$39,725)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3606

Item 3: Authorize a professional services contract for the engineering design of drainage improvements for Storm Drainage Group 9701 - 2134 Elmwood Boulevard, 1347 Cedar Hill Avenue and Ravinia Drive from Gladstone to 12th Street - Lim & Associates, Inc. - \$60,780 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3607

Item 4: Authorize a contract for the roof repairs to the Pan American Building in Fair Park - Mid-Continental Restoration Company, Inc., lowest responsible bidder of two - \$438,731 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3608

Item 5: Authorize a contract for the construction of the Exxon Endangered Tiger Exhibit and Primate of Southeast Asia Exhibit at the Dallas Zoo - C.F. Jordan Commercial, L.P., lowest responsible bidder of seven - \$4,477,100 - Financing: Capital Gift and Donations Funds (\$165,000), 1985 Bond Funds (\$155,000) and 1995 Bond Funds (\$4,157,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3609

Item 6: Authorize a contract for the construction of alley paving and wastewater main improvements for the alley between Bickers Street and Life Avenue from Puget Street to Harston Street - Stephens and Associate Builders, lowest responsible bidder of five - \$104,620 - Financing: 1995 Bond Funds (\$62,870), Water Utilities Bond Funds (\$38,900), Water Utilities Capital Construction Funds (\$2,850)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3610

Item 7: Authorize a contract for the construction of erosion control improvements for Elmwood Branch, located at 818 Owensons Drive, 1305 and 1321 Tyler Street - Craig Olden, Inc., lowest responsible bidder of two - \$152,208 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3611

Item 8: Authorize a contract for the construction of a new 36-inch water main in Cedar Ridge Drive, Rancho Lane and Duncanville Road - Agronomic Management Group, Inc., lowest responsible bidder of fifteen - \$2,855,150 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3612

Item 9: Authorize a contract for the rehabilitation of the 60-inch West Bank wastewater interceptor along the Trinity River from the Central Wastewater Treatment Plant to the AT & SF Railroad, the rehabilitation of the 48-inch West Bank wastewater interceptor in Bickers Street, Life Avenue, and Shaw Street from Winnetka Avenue to Westmoreland Avenue, and the replacement of wastewater mains in the Kidd Springs area bounded by I.H. 30, Zang Boulevard, Eighth Street and Montclair Avenue - Insituform Texark, Inc., lowest responsible bidder of four - \$7,579,080 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3613

Item 10: Authorize an increase in the contract with Randall & Blake, Inc. for additional miscellaneous items for the Women's Council International Garden at the Dallas Arboretum - \$39,044, from \$1,602,776 to \$1,641,820 - Financing: Dallas Arboretum Botanical Society Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3614

Item 11: Authorize an increase in the contract with L. E. Briscoe Construction Corporation to add mechanical, electrical, plumbing, fire sprinkler and architectural work to the Veterans Affairs Community Center - \$219,645, from \$1,311,212 to \$1,530,857 - Financing: Dallas Area Rapid Transit Capital Projects Reimbursement Funds

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

Later in the meeting, Councilmember Poss moved to suspend the rules in accordance with Section 10.1 of the City Council Rules of Procedure in order to consider agenda item 11.

Motion seconded by Mayor Pro Tem Loza.

Mayor Kirk called the vote on the motion to suspend the rules:

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

Voting No: [0]

Absent: [1] Lipscomb abstaining

Mayor Kirk announced that as two-thirds of all of the members of the council had voted to suspend the rules, agenda item 11 could be considered.

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted. (Lipscomb abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3615

Item 12: Authorize Supplemental Agreement No. 1 to the contract with Carter & Burgess, Inc. for construction management services associated with the White Rock Lake Dredging project - \$325,496, from \$1,307,812 to \$1,633,308 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3616

Item 13: Authorize the rejection of the only bid received for the swimming pool renovation at Glendale and Tommie M. Allen Parks 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

November 12, 1997

97-3617

Item 14: Authorize the rejection of bids received for construction of the Visitors Facilities for the Dallas Nature Center 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

November 12, 1997

97-3618

Item 15: I-20 service road from Hampton Road to Polk Street

* Authorize a participation agreement between the City of Dallas and Polk Hampton, LLC, in which Polk Hampton, LLC, a local developer, agrees to contribute an amount not to exceed \$750,000 toward design and construction cost of a service road on the south side of Interstate 20 from Hampton Road to Polk Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3619

Item 16: I-20 service road from Hampton Road to Polk Street

* Authorize an interlocal agreement between the City of Dallas and the Texas Department of Transportation for design and construction of the service road on the south side of Interstate 20 from Hampton Road to Polk Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3620

Item 17: Authorize acquisition, including the exercise for the right of eminent domain, if such becomes necessary, from James M. Harris individually and as Trustee of Gardcom Ltd. Money Purchase Pension Plan and Trust and Adam M. Harris, of approximately 8,578 square feet of land for drainage purposes and approximately 30,549 square feet of land plus the quitclaim of approximately 30,158 square feet of land for the Frankford Road Project located near the intersection of Frankford Road and Kelly Boulevard - \$48,500, plus assumption of paving assessments, not to exceed \$24,427 (in the event the City is unable to acquire a clear title, the eminent domain cash offer will not exceed \$96,794) - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3621

Item 18: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Casey K. Croy, of approximately 38,284 square feet of unimproved land, located near the intersection of 56th Street and South Lancaster Road for replacement of Fire Station No. 25 - \$47,900 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3622

Item 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estate of Iantha Pennie, of approximately 13,134 square feet of unimproved land, located near the intersection of 56th Street and South Lancaster Road for replacement of Fire Station No. 25 - \$3,300 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3623

Item 20: Authorize acquisition by eminent domain, from LeRoy Lott and Gwendolyn Lott, of approximately 26,988 square feet of unimproved land, located at the southeast corner of 56th Street and South Lancaster Road for replacement of Fire Station No. 25 - \$60,800 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3624

Item 21: D-FW International Airport

Authorize acquisition of one (1) single-family residential property from Resolution Trust Corporation containing approximately 8,777 square feet of land located at 4245 Aspen Drive in the City of Irving, Texas for the D-FW International Airport Expansion project - \$130,000 - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

At the time the consent agenda item was presented for discussion, Councilmember Forsythe Lill requested that consent agenda item 21 be considered as an individual item. Mayor Kirk stated that consent agenda item 21 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting agenda item 21 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3625

Item 22: D-FW International Airport

Authorize the acceptance of an avigation easement from Sang Ik and Myung Keum Han over a single-family residential property located at 1222 Olde Towne Drive in the City of Irving, Texas in accordance with provisions of the Sales Guarantee Program associated with the D-FW International Airport noise mitigation program involving property owner sales to third-parties, or in the alternative, authorize acquisition of fee title to the property at 93% of the appraised value in the event no sale occurs and upon retaining the necessary avigation easement, authorize the property acquired to be advertised for sale by sealed bids - \$146,940 - Financing: D-FW International Airport Joint Revenue Bond Funds (no cost or revenue consideration to the City)

At the time the consent agenda item was presented for discussion, Councilmember Forsythe Lill 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 Forsythe Lill's request.

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

Councilmember Forsythe Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3626

Item 23: D-FW International Airport

Authorize acquisition of individual avigation easements over 3 residential properties above approximately 0.5 acres of land located in the City of Irving, Texas for D-FW International Airport Expansion project - \$98,750 (\$47,400 in easement acquisition payments and \$51,350 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

At the time the consent agenda item was presented for discussion, Councilmember Forsythe Lill requested that consent agenda item 23 be considered as an individual item. Mayor Kirk stated that consent agenda item 23 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting agenda item 23 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3627

Item 24: An ordinance abandoning a portion of Alden Avenue to Freida Kassam U.S., Inc., the abutting owner, containing approximately 2,148 square feet of land located near the intersection of Hampton Road and Wentworth Street, and authorizing the quitclaim - Revenue: \$7,303 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23318.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3628

Item 25: An ordinance abandoning a portion of Alden Avenue and an alley, to Randall's Properties, Inc., the abutting owner, containing approximately 17,832 square feet of land, located near the intersection of Hampton Road and Wentworth Street, and authorizing the quitclaim - Revenue: \$60,629 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23319.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3629

Item 26: An ordinance abandoning an access and utility easement to Centex Development Company, L. P., the abutting owner, containing approximately 5,528 square feet of land, located near the intersection of Bryan and Liberty Streets, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23320.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3630

Item 27: An ordinance granting a private license to Avrum Barry Schonwald, Independent Administrator for the Estate of Frank H. Caven, containing approximately 599 square feet of land, for the purpose of constructing and maintaining an outside balcony over Throckmorton Street right-of-way located near its intersection with Cedar Springs Road - Revenue: \$935 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23321.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3631

Item 28: An ordinance closing Waterside Court to all vehicular traffic at Highland Road, pursuant to Resolution No. 93-4028, which authorizes the Policy for Closure of Local Residential Streets to Through Vehicular Traffic - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23322.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3632

Item 29: Authorize acceptance of the highest bids for two (2) single-family residential houses, owned by the cities of Dallas and Fort Worth that were acquired in connection with the D-FW International Airport Noise Mitigation Program for the new runway expansion project - Revenue: \$176,442 - proceeds to be retained in the D-FW International Airport Mitigation Program (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3633

Item 30: Authorize a thirty-six month multiple award price agreement for fertilizer used by the Park and Recreation Department with the lowest responsible bidders of seven - Estes, Inc., Gold Kist, Inc., Heard and Gilmer, Justin Seed Company, Inc., Seed Research of Oregon, Inc. - Not to exceed \$200,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3634

Item 31: Authorize the purchase of twenty (20) new computer systems with the lowest responsible bidders of nineteen - DP Connections, Inc., PC Age Computer Center, and Absolute Systems - Not to exceed \$90,366 - Financing: Cops Anti-Gang Initiative Grant Funds (\$37,306), Walker Consent Decree Funds (\$53,060)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3635

Item 32: Authorize the purchase of various types and sizes of water distribution fittings used by the Water Utilities Department with the lowest responsible bidders of five - ACT Pipe & Supply, Inc., Metro Valve and Pipe, and U.S. Filter Distribution Group - Not to exceed \$177,968.82 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3636

Item 33: Authorize the purchase of seven replacement lime slaker equipment units with the lowest responsible bidder of three - U S Filter/Wallace & Tiernan, Inc. - Not to exceed \$291,437.02 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3637

Item 34: Authorize the purchase of eighty-nine (89) water flow data transmitters and eleven (11) transmitter calibration units with the lowest responsible bidder of three - Summit Controls, Inc. - Not to exceed \$88,826 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3638

Item 35: Authorize settlement of a claim styled Jeff Rawlings v. City of Dallas for property damage, Claim No. 95-101002993-001 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3639

Item 36: Authorize settlement of a lawsuit styled, Preston Billiot v. City of Dallas, Texas,
Cause No. 96-04506-J - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3640

Item 37: Authorize settlement of a lawsuit styled, Rafael Hernandez v. Benjamin Ray Walker and City of Dallas, Cause No. cc-96-9472-e - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3641

Item 38: Authorize settlement of a lawsuit styled, Barbara Hartline and James Hartline v. Debra Perry Smith and the City of Dallas, Cause No. 97-01115-F – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3642

Item 39: Authorize settlement of a lawsuit styled John D. Moore v. City of Dallas, Cause No. 3:95-CV-2084-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3643

Item 40: Authorize a professional services contract with Lisa K. Clayton, M.D., for consulting and expert witness services to be rendered in a lawsuit styled, Elizabeth A. Gates, et al. v. City of Dallas, et al., Civil Action No. 3:96-CV-2198-D, filed in the United States District Court for the Northern District of Texas, Dallas Division, in an amount not to exceed \$30,000 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3644

Item 41: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Haynes and Boone, L.L.P., for legal services necessary in the lawsuits entitled Albert, et al. v. City of Dallas, Cause Number 199-697-94, Hill, et al. v. City of Dallas, Cause Number 95-00975-F, Willis, et al. v. City of Dallas, Cause Number 199-200-95, Barber, et al. v. City of Dallas, Cause Number 199-624-95, Parker, et al. v. City of Dallas, Cause Number 1-95-107; and Martin, et al. v. City of Dallas, et al.; and any other proceeding relating to the 1979 pay referendum litigation in an amount not to exceed \$275,000, from \$425,000 to \$700,000 - Financing: Current Funds

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

At the time the consent agenda item was presented for discussion, Councilmember Stimson requested that consent agenda item 41 be considered as an individual item. Mayor Kirk stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Stimson's request.

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

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Duncan abstaining; Hicks absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3645

Item 42: Authorize a professional services contract with the law firm of Carrington, Coleman, Sloman & Blumenthal, for legal services necessary in the lawsuit entitled City of Fort Worth v. City of Dallas, The Dallas Fort Worth International Airport Board, and Jeffrey P. Fegan, Legend Airlines, Inc., and Astraea Aviation Services, Inc., d/b/a Dalfort Aviation, Cause No. 48-171109-97, and any other proceeding relating to the subject matter of this litigation in an amount not to exceed \$275,000 - Financing: Current Funds

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

At the time the consent agenda item was presented for discussion, Councilmember Forsythe Lill requested that consent agenda item 42 be considered as an individual item. Mayor Kirk stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting agenda item 42 was brought up for consideration.

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Forsythe Lill abstaining; Hicks absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3646

Item 43: Authorize the City Auditor's 1997-98 Annual Audit Plan. Audit Plan submission is required by paragraph 4(b) of City Council Resolution 79-0723, as amended by City Council Resolution 90-4027, dated December 12, 1990 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3647

Item 44: Authorize the City Auditor's Long-Range Plan for 1998-2000. Long-Range Plan submission is required by Section 4 of City Council Resolution 79-0723, as amended by Council Resolution 90-4027, dated December 12, 1990 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3648

Item 45: Authorize payment of annual fees and continuation of arrangements for providing specialized municipal-related services to the City - Public Technology, Inc. (\$27,500); National League of Cities (\$23,379); Texas Municipal League (\$36,242); United States Conference of Mayors (\$21,799) and Arts District Management Association (\$30,000) - \$138,920 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3649

Item 46: Authorize payment of annual fees and continuation of arrangements with North Central Texas Council of Governments - \$104,735 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3650

Item 47: Authorize the City of Dallas to enter into an economic development grant agreement for the period October 1, 1997 through September 30, 1998, with the North Texas Commission (NTC) for the marketing and promotion of the City of Dallas as a part of the Commission's regional effort for promotion of national and international business and economic growth - Not to exceed \$88,324 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3651

Item 48: Authorize the City of Dallas to enter into an economic development grant agreement for the period October 1, 1997 through September 30, 1998 with the Dallas/Ft. Worth Regional Film Commission for the promotion of the City of Dallas and the Dallas area as a location for the production of motion pictures and television films - Not to exceed \$125,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3652

Item 49: Authorize the approval of the application to transfer the annual taxicab operating authority held by Golden Cab, Inc., dba Golden Cab to Zyba, Inc., dba Golden Cab -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3653

Item 50: Authorize the acceptance of the Fair Housing Assistance Program grant from the U. S. Department of Housing and Urban Development, execution of the grant agreement and disbursement of funds to affirmatively further fair housing - \$192,100 - Financing: U. S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3654

Item 51: Authorize a loan not to exceed \$40,000 to South Dallas Health Access, a nonprofit organization, for the partial costs of purchasing a building located at 1906 Peabody Avenue in the South Dallas/Fair Park Trust Fund area for the purpose of providing medical services to persons with, or at risk of having AIDS; authorize a waiver of the existing South Dallas/Fair Park Trust Fund loan limit; and authorize an extension of the time period allowed by Council policy for expending \$75,000 in 1995-96 Community Development Block Grant funding to South Dallas Health Access by the Environmental and Health Services Department for the purpose of purchasing the building - Loan not to exceed \$40,000 - Financing: South Dallas/Fair Park Trust Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3655

Item 52: An ordinance awarding a franchise for 10 years to Thomas and Sharon Fomukong, dba Hollywood Communications, LTD., to provide local exchange telephone services as a reseller of Southwestern Bell and General Telephone Co. service - Revenue: \$35,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23323.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3656

Item 53: An ordinance awarding a franchise for 10 years to Marion Austin, dba Austico Telecommunications, Inc., to provide local exchange telephone services as a reseller of Southwestern Bell service - Revenue: \$65,000 for 10 years

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23324.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3657

Item 54: An ordinance awarding a franchise for 10 years to Teligent, L.L.C. to provide local exchange telephone services as a reseller of Southwestern Bell and General Telephone Co. service - Revenue: \$3,250,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23325.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3658

Item 55: Authorize Supplemental Agreement No. 2 to the professional services contract with Aon Consulting Group (formerly Alexander & Alexander Consulting Group, Inc.) for additional actuarial review services relating to the Employees' Retirement Fund actuarial assumptions and analysis of Employees' Retirement Fund demographic and financial data - \$30,000, from \$85,000 to \$115,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3659

Item 56: Authorize (1) a real property tax abatement agreement with For Keep's Sake Daycare for the purpose of granting an abatement of taxes on added value to the real property located within the City of Dallas Enterprise Zone Three at 2520 Martin Luther King, Jr. Boulevard, Dallas, Texas, 75215; and (2) a development fee rebate in an amount not to exceed \$1,310 for the development of the daycare facility. Financing: Public/Private Partnership Fund - Revenue: First year tax revenue estimated at \$107. Ten-year tax revenue estimated at \$1,072 (Estimated revenue foregone for ten-year real property abatement \$9,648)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3660

Item 57: An ordinance amending Chapter 56 of the Dallas City Code to adopt the 1996 National Electrical Code (NEC), with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23327.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3661

Item 58: Authorize an Interlocal Agreement with the Texas Department of Human Services for eligibility determination services for Medicaid reimbursement for the period November 1, 1997 through October 31, 1998 - \$82,188 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3662

Item 59: Authorize an Interlocal Agreement with Dallas County for the continuation of the AIDS Investigation Program for the period October 1, 1997 through September 30, 1998 - \$37,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3663

Item 60: Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center at Dallas for the continuation of a Minority AIDS Education Program for the period October 1, 1997 through September 30, 1998 - \$112,500 - Financing: 1997-98 Community Development Grant Funds (\$55,000) and Current Funds (\$57,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3664

Item 61: Authorize a professional services contract with Dental Health Programs, Inc. for the provision of dental health services to eligible West Dallas residents for the period October 1, 1997 through September 30, 1998 - \$80,000 - Financing: Urban Development Action Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3665

Item 62: Authorize a professional services contract with Holmes Street Foundation, Inc. for the provision of residential substance abuse treatment services for adolescent males for the period October 1, 1997 through September 30, 1998 - \$81,250 - Financing: 1997-98 Community Development Grant Funds (\$65,000) and Current Funds (\$16,250)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3666

Item 63: Authorize a professional services contract with Youth and Family Impact Centers of Dallas, Inc. for the provision of case management services to eligible youth, ages 4 - 17, for the period October 1, 1997 through September 30, 1998 - \$60,000 - Financing: 1997-98 Community Development Grant Funds

At the time the consent agenda item was presented for discussion, Councilmember Blumer requested that consent agenda item 63 be considered as an individual item. Mayor Kirk stated that consent agenda item 63 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 63 was brought up for consideration.

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Lipscomb.

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

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

Voting No: [1] Blumer

Absent: [1] Hicks absent when vote taken

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3667

Item 64: Authorize a professional services contract with Temporary Medical Staffing, Inc., for the provision of services of a phlebotomist to obtain blood specimens for lead screening for residents of the city of Dallas for the period October 1, 1997 through September 30, 1998 - \$30,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3668

Item 65: Authorize Supplemental Agreement No. 1 to the professional services contract with Dental Health Programs, Inc. to enhance dental services for eligible senior citizens for the period October 1, 1997 through September 30, 1998 - \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3669

Item 66: Authorize application for and acceptance of grant funds from the Office of the Governor, Criminal Justice Division to continue the efforts of the City's juvenile delinquency prevention initiative for the period April 1, 1998 through March 31, 1999 - \$100,000 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3670

Item 67: Authorize contracts with cultural organizations for the provision of services to the City through the Ethnic and Minority Organizations Development Program - Not to exceed \$80,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3671

Item 68: Authorize a contract for emergency medical services at Dallas Convention Center and Reunion Arena with the second highest responsible bidder, Medcor, Inc., for a period of three (3) years with two (2) one-year options commencing December 15, 1997 - Estimated Revenue: \$23,900 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3672

Item 69: Authorize Supplemental Agreement No. 7 to the Services Contract (General Fund) and Supplemental Agreement No. 10 to the Community Development Grant Funded Agreement with The Walker Project, Inc., a private, nonprofit fair housing organization, pursuant to section seven of the Walker Consent Decree in the amount of \$297,700 - Financing: 1997-98 Community Development Grant Funds (\$198,400) and Walker Consent Decree Funds (\$99,300)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3673

Item 70: Authorize Supplemental Agreement No. 7 to the Interlocal Agreement between the City of Dallas and the Dallas Housing Authority (DHA) extending the term from March 25, 1998 to March 24, 1999 adding funding for marketing and providing rental bonus payments to property owners leasing three and four bedroom units to participants in the Section 8 Bonus Incentive Program - \$68,000 - Financing: 1997-98 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3674

Item 71: Authorize contracts with Dallas Arboretum and Botanical Society, Inc. (\$380,055) and Dallas Horticulture Center, Inc., (\$98,500) to provide services and programs within the City of Dallas - \$478,555 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3675

Item 72: Authorize the adoption of the Davis / Bishop Urban Design Study, as a guide to implement future development along Davis Street from Polk Street to Beckley Street and Bishop Avenue from Colorado Boulevard to Jefferson Avenue - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Davis/Bishop Urban Design Study:

- Pam Conley, 901 N. Madison Ave.
- Maureen Jones, 1136 Woodlawn Ave.

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

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

Councilmember Stimson moved to authorize approval of the design study with the following grammatical change, "That the small neighborhood park that will be created at Davis and King's Highway be referred to as a "neighborhood park or greenspace".

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3676

Item 73: An ordinance authorizing a change of zoning to an MU-2 Mixed Use District on property presently zoned an NO(A) Neighborhood Service District and an MC-1 Multiple Commercial District on property at the north corner of Midpark Road and Goldmark Drive, and a resolution authorizing acceptance of an instrument terminating the existing deed restrictions and an instrument providing for new deed restrictions (Z967-257/10136-NC(RB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23326.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3677

Item 74: An ordinance authorizing an Historic Overlay District for the Lake Cliff Historic District on property generally bounded by Zang Boulevard, Colorado Boulevard, Marsalis Avenue, Sixth Street, and Beckley Avenue (Z967-148/1027-SW(JA) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23328.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3678

Item 75: Authorize a one-year microfilm services contract between the City of Dallas and the United States National Archives and Records Administration (NARA) - Fort Worth Branch to microfilm essential and permanent City records in accordance with permanent preservation standards established by state law - \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3679

Item 76: Authorize a contract with Continental Golf, Inc. to provide interruptible untreated water from the Elm Fork of the Trinity River for five years with two extensions of five years each for irrigation of the new Coyote Ridge Golf Course located in the City of Carrollton - Revenue: \$48,961 in 1997-98, \$48,711 annually thereafter

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3680

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 77-85 was presented.

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

Agenda item 77: Zoning Case Z967-283/10351-SE(RB)

~~Agenda item 78: Zoning Case Z967-291/10370-NC(CR) [Considered individually]~~

~~Agenda item 79: Zoning Case Z967-307/6455-NW(RB) [Considered individually]~~

~~Agenda item 80: Zoning Case Z967-308/10393-SW(RB) [Considered individually]~~

Agenda item 81: Zoning Case Z967-311/10395-C(CR)

Agenda item 82: Zoning Case Z967-315/6112-NC(LS)

Agenda item 83: Zoning Case Z967-317/10399-NC(LS)

Agenda item 84: Zoning Case Z967-320/10400-NE(LS)

Agenda item 85: Zoning Case Z967-322/10402-C(KC)

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3681

Item 77: Zoning Case Z967-283/10351-SE(RB)

Zoning Case Z967-283/10351-SE(RB), an application for and an ordinance granting an MF-2(A) Multifamily District on property presently zoned a CR Community Retail District on the southwest side of Bonnie View Road, southeast of Prosperity Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23329.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3682

Item 78: Zoning Case Z967-291/10370-NC(CR)

The consent zoning docket, consisting of agenda items 77-85 was presented.

Councilmember Blumer requested that consent zoning docket item 78 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket 78 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Blumer's request.

Later in the meeting zoning docket item 78 was brought up for consideration.

A public hearing was called on zoning case Z967-291/10370-NC(CR), an application for and an ordinance granting an amendment to the conceptual plan, development plan and conditions for Planned Development District No. 121 for Retail and Residential Uses to permit an additional retail building at the southwest corner of Walnut Hill Lane and Central Expressway.

(The city plan commission recommended approval.)

Councilmember Blumer moved to close the public hearing, accept the recommendation of the city plan commission with the following changes:

- 1) Amend Condition No. 7 of the proposed ordinance to increase structure height for Building A from 14 feet to 17 feet.
- 2) Amend Condition No. 12 of the proposed ordinance to include the working "prior to the issuance of a certificate of occupancy for Building A, a minimum five-foot perimeter landscape buffer strip must be planted along the west boundary line of the artificial lot created for Building A, as shown on the attached development plan for Phase 1a and Phase 1 b"
- 3) Acceptance of the proposed amended development plan for Phase 1a and Phase 1b which removes seven off-street parking spaces.

and pass the ordinance with those changes.

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23330.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3683

Item 79: Zoning Case Z967-307/6455-NW(RB)

The consent zoning docket, consisting of agenda items 77-79, was presented.

Cheryl J. Peterman, director of planning, requested that consent zoning docket item 79 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 that consent zoning docket item 79 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 Z967-307/6455-NW(RB), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned as Planned Development District No. 326 for Retail, Office, and Residential Uses on the southwest corner of West Lovers Lane and Linwood 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 and conditions.)

Councilmember Forsythe Lill 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. (Mayes absent when vote taken)

Assigned ORDINANCE NO. 23331.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3684

Item 80: Zoning Case Z967-308/10393-SW(RB)

The consent zoning docket, consisting of agenda items 77-85 was presented.

Councilmember Stimson requested that consent zoning docket item 80 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket 80 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Stimson's request.

Later in the meeting zoning docket item 80 was brought up for consideration.

A public hearing was called on zoning case Z967-308/10393-SW(RB), an application for and an ordinance granting an IM Industrial Manufacturing District on property presently zoned an IR Industrial Research District on the south side of Bronze Way, west of Cockrell Hill Road.

(The city plan commission recommended approval.)

Councilmember Stimson moved to close the public hearing and accept the recommendation of the city plan commission and deny the application without prejudice.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3685

Item 81: Zoning Case Z967-311/10395-C(CR)

Zoning Case Z967-311/10395-C(CR), an application for and an ordinance granting a GR General Retail Subdistrict on property presently zoned an O-2 Office Subdistrict on Tract I, and an application for and an ordinance granting a Specific Use Permit for a Drive-through restaurant on Tracts I and II on property presently zoned a GR General Retail Subdistrict on Tract II within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Fitzhugh Avenue between McKinney

Avenue and North Central Expressway.

(The city plan commission recommended approval of a GR General Retail Subdistrict on Tract I and approval of a Specific Use Permit for a Drive-through restaurant for a permanent time period, subject to a site plan, landscape plan and conditions on Tracts I and II.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23332 and ORDINANCE NO. 23333.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3686

Item 82: Zoning Case Z967-315/6112-NC(LS)

Zoning Case Z967-315/6112-NC(LS), an application for and an ordinance granting an amendment to the Tract 6A portion of Planned Development District No. 170 for certain Shopping Center District Uses to allow for restaurants less than 3,500 square feet in area, revise the hours of operation, and allow video retail rental stores on property located on the west side of Preston Road, north of Lloyd Circle (south).

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23334.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3687

Item 83: Zoning Case Z967-317/10399-NC(LS)

Zoning Case Z967-317/10399-NC(LS), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned an MF-1(A) Multifamily District with consideration being given to the granting of an MU-2(SAH) Mixed Use (Standard Affordable Housing) District on the south side of Peterson Lane, east of Noel Road, and an ordinance granting an MU-2 (SAH) Mixed Use (Standard Affordable Housing) District.

(The city plan commission recommended approval of an MU-2(SAH) (Mixed Use Standard Affordable Housing) District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23335.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3688

Item 84: Zoning Case Z967-320/10400-NE(LS)

Zoning Case Z967-320/10400-NE(LS), an application for and an ordinance granting a Planned Development District for a Private School (Bishop Lynch High School) on property presently zoned an R-7.5(A) Single Family District at the southeast corner of Ferguson Road and Peavy Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23336.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3689

Item 85: Zoning Case Z967-322/10402-C(KC)

Zoning Case Z967-322/10402-C(KC), an application for and an ordinance granting a Planned Development Subdistrict for I-2 Industrial Subdistrict Uses and Multiple Family Uses on property presently zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, bounded by McKinney Avenue, Caroline Street, Cedar Springs Road, and Akard Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23337.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3690

Item 86: Public Hearing - Zoning Case Z967-271/1147-NE(KC)

A public hearing was called on zoning case Z967-271/1147-NE(KC), an application for a P(A) Parking District on property presently zoned an R-7.5(A) Single Family District at the north corner of Angora Street and Ocalla Avenue.

(The city plan commission recommended denial.

Appearing in opposition to the city plan commission recommendation:

- Michelle Boyd, 8941 Angora Dr.
- P.J. Hines, 8930 Angora Dr.

Appearing in favor of the city plan commission recommendation:

- Larry Smith, 11085 Strayhorn Dr.
- Mike Oglesby, 13028 Fall Manor Dr.
- Connie Forshay, 9002 Angora Dr.

Mayor Pro Tem Poss moved to close the public hearing and overrule the recommendation of the city plan commission and approve agenda item 86 subject to deed restrictions volunteered by the applicant. The deed restrictions, which offer landscape, fencing and lighting plan, and the ordinance will be brought back for consideration on December 10, 1997.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3691

Item 87: Public Hearing - Zoning Case Z967-297/10375-C(LS)

A public hearing was called on zoning case Z967-297/10375-C(LS), an application for a CR Community Retail District on property presently zoned an MF-2(A) Multifamily District at the west corner of Bryan Street and Prairie Avenue.

(The city plan commission recommended denial.)

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

Appearing in favor of the city plan commission recommendation:

-- Chou Sen, 909 Simon Dr., Plano

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3692

Item 88: Public Hearing - Zoning Case Z967-252/1308-NE(RB)

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. This application was considered by the City Council on October 22, 1997 and was taken under advisement until November 12, 1997 with the public hearing open.)

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

Mayor Pro Tem Poss moved to close the public hearing, accept the recommendation of the city plan commission, and approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3693

Item 89: 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. This application was considered by the City Council on October 22, 1997 and was taken under advisement until November 12, 1997 with the public hearing open.)

Appearing in favor of the city plan commission recommendation:

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

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

Councilmember Loza moved to close the public hearing and overrule the recommendation of the city plan commission and grant the application.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3694

Item 90: 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 again on October 22, 1997 and was taken under advisement until November 12, 1997 with the public hearing open.)

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

Councilmember Loza 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3695

Item 91: Public Hearing - STREET NAME CHANGE CASE - INDIVIDUAL

A public hearing was called on an application for and an ordinance granting a street name change, changing the name of Oakland Avenue to "Malcolm X Boulevard" between Gaston Avenue and Brigham Lane.

(The city plan commission recommended approval.)

Appearing in opposition to the city plan commission recommendation:

- W. C. Miller, 5810 Lakehurst Ave.
- Mark Sonna, 4000 Rawlins St.
- Don Blanton, 2622 Main St.
- Catherine Horsey, 2922 Swiss Ave.
- Gabriel Camacho, 11002 Creekmere Dr.
- Bill Keim, 2625 Main St.
- Ron Owens, 3711 S. Oakland Ave.
- Mark McCay, 5507 Matalee Ave.
- Ahmeed Akmed, 3517 S. Harwood St.
- John Anderson, 8600 Skyline Dr.
- Harold Williams, 3902 Oakland Ave.
- Don Cass, 2717 Commerce St.
- Mitchell Fondberg, 5950 Lindenshire La.
- Linda Perdue, 10827 Pagewood Pl.

Appearing in favor of the city plan commission recommendation:

- Diane Ragsdale, 3611 Dunbar St.
- Samuel Johnston, 1022 E. Waco Ave.
- Jewel Floyd, 3815 Myrtle St.
- Lee G. Bilal, 7505 Fairport Rd.
- Elsie Risby, 2900 Dilido Rd.
- Marvin Crenshaw, 5134 S. Oakland Ave.
- Carolyn Davis, 2503 Martin Luther King Blvd.

- Charles Hillman, 2801 Peabody St.
- Jean Crenshaw, 5134 S. Oakland Ave.
- William Hopkins, 2011 Leath St.
- Steve Doss, 1612 Wagon Wheels Trl.
- Pancho Medrano, 2346 Douglas Ave.
- Calvin Carter, 5332 Wood
- Wana Awalee, 3519 Meadow St.
- Leo Hassan, 2810 Birmingham St.

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: [8] Kirk, Salazar, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb,
Forsythe Lill

Voting No: [7] Poss, Loza, Stimson, Walne, Finkelman, Greyson, Blumer

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23338.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3696

Item 92: Public Hearing - FLOODPLAIN APPLICATION

A public hearing was called to receive citizen comments on application for the fill permit and removal of the flood plain prefix from 1.43 acres of land currently in the 100-year flood plain of White Rock Creek. The property is currently zoned Planned Development District No. 485 and is located at 13001 Hillcrest Road. Fill Permit 97-06 - Financing: No cost consideration to the City.

No addressed the city council regarding the application.

Councilmember Mallory Caraway moved to close the public hearing and approve the application.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3697

Public Hearing - BENEFIT ASSESSMENT HEARING

Joe Field Road from Dead End east of Stemmons Freeway to Denton Drive

Item 93: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements on the above listed street.

Item 94: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the above listed street - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements on Joe Field from Dead End east of Stemmons Freeway to Denton Drive.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23339.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3698

Public Hearing - BENEFIT ASSESSMENT HEARING

Street Group 423

Villa Road from Dead-End west of Windmill Lane to Mapleshade Lane

Windmill Circle from Windmill Lane east to Dead-End

Windmill Lane from Villa Road to Mapleshade Lane

Item 95: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the streets on the attached list.

Item 96: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the streets on the attached list - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 423.

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23340.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3699

Public Hearing - BENEFIT ASSESSMENT HEARING

Westport Avenue from Mouser Street to Harrell Avenue

Item 97: * Benefit assessment hearing for street paving, water and wastewater main improvements for the above listed street.

Item 98: * Ordinance levying benefit assessments for street paving, water and wastewater main improvements for the above listed street - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, water and wastewater main improvements for Westport Avenue from Mouser Street to Harrell Avenue.

Appearing in favor of the proposed improvements or assessments:

-- Lula Thompson, 819 Westport Ave.

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23341.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3700

Item 99: 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 November 12, 1997.

The city secretary noted that the report indicated with the notation "OK" that a person nominated or renominated met all qualifications for service. The city secretary also noted that the term for each nominee would end August 31, 1999.

Councilmember Walne 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 Forsythe Lill and unanimously adopted.

Mayor Kirk noted that he planned to appoint:
Paul. E. Lietz as chair of the Dallas Citizens Police Review Board,
subject to confirmation by the majority of the city council as authorized by the City Charter.

Councilmember Walne moved to ratify the appointment by Mayor Kirk of the person selected to chair the Dallas Citizens Police Review Board.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

Mayor Pro Tem Poss moved to nominate Miles Zitmore to a full-council position on the Reinvestment Zone Five Board (City Center) for the term ending August 31, 1999.

Motion seconded by Councilmember Forsythe Lill.

There being no other nominations Mayor Kirk called the vote on the motion:

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

Voting No: [0]

Absent: [1] Hicks absent when vote taken

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

97-3727 CSX CIVIL SERVICE BOARD ADJUNCT MEMBERS

97-3728 DCT DALLAS COMMUNITY TELEVISION INC.

97-3729 RZ5 REINVESTMENT ZONE FIVE BOARD (CITY CENTER)

97-3730 URS URBAN REHABILITATION STANDARDS BOARD

97-3731 Board Officers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3701

Item 100: Authorize approval of the bi-weekly tax action

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3702

Item 101: An ordinance authorizing the issuance and sale of \$5,800,000 City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 1997; levying an ad valorem tax with respect thereto; accepting the bids and awarding the sale of the Certificates of Obligation; approving the Official Statement; and enacting other provisions in connection therewith

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23342.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3703

Item 102: An ordinance authorizing the issuance and sale of \$16,805,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 1997; levying an ad valorem tax with respect thereto; accepting the bids and awarding the sale of the Contractual Obligations; approving the Official Statement; and enacting other provisions in connection therewith

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23343.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3704

Item 103: An ordinance authorizing the issuance and sale of \$54,700,000 City of Dallas, Texas General Obligation Bonds, Series 1997; levying an ad valorem tax with respect thereto; accepting the bids and awarding the sale of the bonds; approving the Official Statement; and enacting other provisions in connection therewith

Councilmember Hicks moved to pass the ordinance.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23344.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3705

Item 104: Authorize the purchase of 15 Mobile Intensive Care Units (MICU's) through the Houston - Galveston Area Council of Governments (H-GAC) interlocal agreement - Not to exceed \$1,100,062 - Financing: 1997 Equipment Acquisition Contractual Obligation Fund

Councilmember Mallory Caraway moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3706

Item 105: Authorize the purchase of one rear mount aerial ladder truck through the Houston - Galveston Area Council of Governments (H-GAC) interlocal agreement - Not to exceed \$426,008 - Financing: 1997 Equipment Acquisition Contractual Obligation Fund

Councilmember Finkelman moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3707

Item 106: Authorize the purchase of four (4) fire pumpers through the Houston - Galveston Area Council of Governments (H-GAC) interlocal agreement - Not to exceed \$967,649 - Financing: 1997 Equipment Acquisition Contractual Obligation Fund

Councilmember Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3708

Item 107: Authorize the City of Dallas Housing Finance Corporation to issue Single Family Mortgage Revenue Bonds in the principal amount not to exceed \$25,000,000 in order to provide home mortgage financing for persons of low and moderate incomes to purchase residences located within the City of Dallas - Not to exceed \$25,000,000 - Financing: 1997 Single Family Mortgage Revenue Bonds

Deputy Mayor Pro Tem Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3709

Item 108: A resolution supporting the candidacy of Charlotte Mayes for the Public Safety and Crime Prevention Steering Committee of the National League of Cities (via Mayor Kirk)

Councilmember Mallory Caraway moved to approve the resolution.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3710

Item 109: Authorize adoption of the City Council Calendar for 1998 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the City Council Calendar:

-- Joe Martin, 3105 Gladiolus Ln.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Mayes.

Councilmember Mallory Caraway moved to amend adoption of the City Council Calendar for 1998, by reinstating June 24th, as an agenda meeting date.

Motion seconded by Councilmember Blumer.

After discussion, Mayor Kirk called the vote on Councilmember Mallory Caraway's motion to amend:

Voting Yes: [8] Loza, Stimson, Duncan, Mallory Caraway, Lipscomb, Greyson, Blumer, Forsythe Lill

Voting No: [6] Kirk, Poss, Salazar, Mayes, Walne, Finkelman

Absent: [1] Hicks absent when vote taken

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3711

Item 110: 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

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Stimson and unanimously adopted.

Assigned ORDINANCE NO. 23345.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3712

Addendum addition 1: An ordinance abandoning a portion of a utility easement to Windsor Park Central One Limited Partnership, the abutting owner, containing approximately 10,078 square feet of land, located near the intersection of Coit Road and Churchill Way and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Councilmember Stimson and unanimously adopted.

Assigned ORDINANCE NO. 23346.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3713

Addendum addition 2: Authorize the adoption of a pre-tax employee contribution program in accordance with Section 414(h)(2) of the Internal Revenue Code. This will defer federal income taxation of City employee contributions to the Employees' Retirement Fund of the City of Dallas - Financing: No cost consideration to the City

Councilmember Stimson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3714

Addendum addition 3: An ordinance adopting a plan, in accordance with Section 415(m) of the Internal Revenue Code to allow for the full payment of benefits as described in Chapter 40A of the Dallas City Code (Dallas Employees' Retirement Fund Plan) - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Stimson and unanimously adopted.

Assigned ORDINANCE NO. 23347.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3715

Addendum addition 4: A resolution modifying the Program Statement for the Minor Home Repair Program to increase the maximum amount of the grant assistance from \$5,000 to \$8,000 (Housing and Neighborhood Development Committee)

Councilmember Stimson moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3716

Addendum addition 5: Authorize a replacement housing payment for Willie K. Thomas as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$22,500 - Financing: 1995-96 Community Development Grant Funds

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3717

Addendum addition 6: Actions Related to the January 17, 1998, Special Election

* An ordinance ordering a special election to be held in the City of Dallas on January 17, 1998, on the question of approving and implementing a resolution designating the Dallas Sports Arena Project as a sports and community venue project and designating the methods of financing therefore and the maximum rate of each method of financing pursuant to Chapter 334, Local Government Code; prescribing the form of the ballot; designating polling places; providing for the use of an electronic voting system; providing for early voting; permitting only resident qualified voters to vote; providing for an early voting ballot board to process early voting; providing for notice of the election; and providing an effective date

Councilmember Duncan moved to defer the ordinance until the November 14, 1997 special called meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3718

Addendum addition 7: Actions Related to the January 17, 1998, Special Election

* An ordinance amending Ordinance 20231, as amended, adopting new and revised election precincts - Financing: This action has no cost consideration

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

Later in the meeting, Councilmember Duncan moved to suspend the rules in accordance with Section 10.1 of the City Council Rules of Procedure in order to consider addendum addition 7.

Motion seconded by Councilmember Lipscomb.

Mayor Kirk called the vote on the motion to suspend the rules:

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

Voting No: [0]

Abstain: [1] Poss abstaining

Mayor Kirk announced that as two-thirds of all of the members of the council had voted to suspend the rules, addendum addition 7 could be considered.

Councilmember Duncan moved to defer the ordinance until the November 14, 1997 special called meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted. (Poss abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3719

Addendum addition 8: Actions Related to the January 17, 1998, Special Election

* Authorize a joint election agreement and election services contract between the City of Dallas, various other jurisdictions within Dallas County, and Dallas County for up to \$510,000 and authorize an expenditure of up to \$13,950 for advertising and miscellaneous expenditures associated with a special election to be held on Saturday, January 17, 1998 under Section 334.024 of Local Government Code - \$523,950 - Financing: Event Services Current Funds (to be reimbursed from project funds)

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

Later in the meeting, Councilmember Duncan moved to suspend the rules in accordance with Section 10.1 of the City Council Rules of Procedure in order to consider addendum addition 7.

Motion seconded by Councilmember Lipscomb.

Mayor Kirk called the vote on the motion to suspend the rules:

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

Voting No: [0]

Abstain: [1] Poss abstaining

Mayor Kirk announced that as two-thirds of all of the members of the council had voted to suspend the rules, addendum addition 7 could be considered.

Councilmember Duncan moved to defer the ordinance until the November 14, 1997 special called meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted. (Poss abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3720

Addendum addition 9: Actions Related to the January 17, 1998, Special Election

* A resolution approving the appointment of citizens to serve as election judges for the January 17, 1998 special election - Financing: This action has no cost consideration

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

Councilmember Duncan moved to defer the ordinance until the November 14, 1997 special called meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted. (Poss abstaining; Finkleman absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3721

Addendum addition 10: Actions Related to the January 17, 1998, Special Election

* A resolution authorizing the mayor to appoint an ad hoc city council canvassing committee to review the returns of the January 17, 1998 special election and submit a canvass report to the full city council on Wednesday, January 21, 1998 - Financing: No cost consideration to the City

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

Councilmember Duncan moved to defer the ordinance until the November 14, 1997 special called meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted. (Poss abstaining; Finkleman absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3722

Addendum addition 11: Loop 12 HOMEWORKS! Program

* A motion to reconsider a resolution authorizing 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; authorizing the approval of the Program Statement for the Loop 12 HOMEWORKS! Program; authorizing the City Manager, or his designee, to approve rehabilitation loans/or grants of funds for the benefit of low and moderate income persons in connection with the approved Program Statement; authorizing 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; and referring to city council committees the issue of waiving city fees for the Loop 12 HOMEWORKS! Program - \$900,000 - Financing: Frost-Leland Funds (\$400,000) and 1997-98 Community Development Grant Funds (\$500,000) (Item No. 54 on the October 22, 1997 agenda) (Deputy Mayor Pro Tem Salazar and Councilmembers Duncan, Loza, Forsythe Lill, Hicks, Lipscomb, Mayes, Blumer)

Councilmember Duncan moved to approve the item.

Motion died for lack of a 2nd motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3723

Addendum addition 12: Loop 12 HOMEWORKS! Program

* Adoption of a resolution authorizing 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; authorizing the approval of the Program Statement for the Loop 12 HOMEWORKS! Program; authorizing 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; authorizing 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; and referring to city council committees the issue of waiving city fees for the Loop 12 HOMEWORKS! Program - \$900,000 - Financing: Frost-Leland Funds (\$400,000) and 1997-98 Community Development Grant Funds (\$500,000)

Councilmember Duncan moved to approve the item.

Motion died for lack of a 2nd motion.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3724

Addendum addition 13: Authorize approval of the New Arena Master Agreement and Related Documents, between the City and ArenaCo, a jointly-owned entity of Dallas Basketball Limited (the "Mavericks") and Dallas Stars, L.P. (the "Stars")

or, in the alternative,

Addendum addition 14: Authorize an extension to December 10, 1997, of the Letter of Intent, dated October 2, 1997, between the City of Dallas, Dallas Stars, L.P. (the "Stars") and Dallas Basketball Limited (the "Mavericks"), regarding the proposed development, construction, operation, and financing of a new sports arena project in downtown Dallas, and related mixed-use development

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

The following individual addressed the city council regarding the New Arena Master Agreement:

-- Roy Williams, 5881 Prestonview Blvd.

Councilmember Duncan moved to approve the alternative item.

Motion seconded by Councilmember Deputy Pro Tem Salazar.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmembers Stimson and Blumer voting "No." (Poss abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3725

EXECUTIVE SESSION

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

-- Debra Walker, et al v. HUD, et al.

-- Downtown Sports Development Project-Alternative Site Acquisition Negotiations and Negotiations between the City and Dallas Basketball, Limited and the Dallas Stars, L.P.

-- Legal Issues Regarding the New Arena Master Agreement and Related Documents

-- Legal Issues Regarding Site Acquisition for the New Arena

Deliberations Regarding Real Property (Sec. 551.072 T.O.M.A.)

-- Downtown Sports Development Project-Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited and the Dallas Stars, L.P.

-- Site Acquisition for the New Arena

An executive session was held as authorized by Chapter 551, "OPEN MEETINGS," of the Texas Government Code (Texas Open Meetings Act) to discuss the following matters:

Deliberations Regarding Real Property (Sec. 551.072 T.O.M.A.)

-- Downtown Sports Development Project-Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited and the Dallas Stars, L.P.

-- Site Acquisition for the New Arena

No other matters were discussed during the executive session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 12, 1997

97-3726

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, NOVEMBER 12, 1997

EXHIBIT C