

AGENDA
CITY COUNCIL MEETING
AUGUST 26, 1998
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[98-2410]**

Agenda Item/Open Microphone Speakers **[98-2411]**

VOTING AGENDA

1. Approval of Minutes of the August 12, 1998 City Council Meeting **[NO MINUTES APPROVED; 98-2412]**

CONSENT AGENDA **[98-2413]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Spencer Design Group, Inc. for a feasibility study for an improved Crisis Management Center at Dallas Love Field Airport - \$32,309 - Financing: Aviation Capital Construction Funds **[APPROVED; 98-2414]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for a new backstop, automatic irrigation system and turf for the east ballfield at Fretz Park - Eagleton Construction, Inc., lowest responsible bidder of five - \$88,630 - Financing: 1985 Bond Funds (\$22,630) and 1995 Bond Funds (\$66,000) **[APPROVED; 98-2415]**
4. Authorize a contract for the construction of storm drainage improvements at City Park - Barson Utilities, Inc., lowest responsible bidder of four - \$167,556 - Financing: 1985 Bond Funds **[APPROVED; 98-2416]**
5. Authorize a contract for the construction of erosion control measures along the creek at Ruthmeade Park - Jeske Construction Co., lowest responsible bidder of four - \$221,474 - Financing: 1994-95 Community Development Grant Funds (\$101,893) and 1995-96 Community Development Grant Funds (\$119,581) **[APPROVED; 98-2417]**
6. Authorize a contract for the construction of exterior drainage and water infiltration repairs at Fire Station #20, located at 12727 Montfort Drive - Gilbert May, Inc., lowest responsible bidder of three - \$69,840 - Financing: Capital Construction Funds **[APPROVED; 98-2418]**
7. Authorize a contract for the construction of sidewalks, retaining walls, drive approaches, curb and gutters, barrier free ramps and water main adjustments on Birmingham Avenue from Jeffries Street to Malcolm X Boulevard - B. T. Construction Inc., lowest responsible bidder of six - \$92,727 - Financing: 1985 Bond Funds (\$13,197), 1997-98 Community Development Grant Funds (\$66,530), Water Utilities Capital Construction Funds (\$13,000) **[APPROVED; 98-2419]**
8. Authorize a contract for the construction of drainage improvements at 5019 Clubview Drive, 2626 and 2914 Gladiolus Lane - P & E Engineering, lowest responsible bidder of three - \$86,155 - Financing: 1995 Bond Funds **[APPROVED; 98-2420]**
9. Authorize a contract for the construction of heating, ventilation and air conditioning replacement at Casa View Branch Library - Gulf Energy Systems, Inc., lowest responsible bidder of three - \$64,500 - Financing: Capital Construction Funds **[APPROVED; 98-2421]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

10. Authorize Supplemental Agreement No. 1 to the contract with Conley Design Group, Inc. to prepare construction documents and provide construction administration services for the renovation of the Sheep and Goat Building at Fair Park and authorize an increase in appropriations of funds from State Fair of Texas, Inc. - \$50,468, from \$19,050 to \$69,518 - Financing: State Fair of Texas Capital Construction Funds **[APPROVED; 98-2422]**
11. Authorize Supplemental Agreement No. 2 to the contract with Matrix Consultants, Inc. to provide additional architectural services for a recreation center addition at Kiest Park - \$14,750, from \$91,069 to \$105,819 - Financing: 1985 Bond Funds **[APPROVED; 98-2423]**
12. Authorize an increase in the contract with C. F. Jordan Commercial, L.P. for the construction of the Exxon Endangered Tiger Exhibit and Primate of Southeast Asia Exhibit at the Dallas Zoo to include site lighting conduit and piers, additional steel at bamboo barrier, raising drain elevations, entry "sala" structure, waterproofing enclosures for thermostats, automatic thermostats at heating and ventilation units, painting mesh pole boxes, sloping roof for drainage and replacing the door at primate hut #5 with a door matching huts #1-4 - \$51,173, from \$4,255,083 to \$4,306,256 - Financing: 1995 Bond Funds (\$38,429) and Dallas Zoo Trust Funds (\$12,744) **[APPROVED; 98-2424]**
13. Authorize an increase in the contract with BAR Constructors, Inc. for additional work associated with the replacement or rehabilitation of wastewater mains and the replacement of water mains in Swiss Avenue, Bryan Street and in alleys between Bentley Avenue and Wilton Avenue; Sunset Street and Tenth Street; Gaston Avenue and Shook Avenue; Abrams Street and Victor Street; Richmond Avenue and Prospect Avenue; Reagan Street and Oaklawn Avenue; Paulus Avenue and Nesbitt Drive - \$91,592, from \$1,029,210 to \$1,120,801- Financing: Water Utilities Capital Construction Funds **[APPROVED; 98-2425]**

Construction Miscellaneous

114. Authorize an Interlocal Agreement with the Texas Department of Transportation for intersection improvements at Royal Lane/Miller Road and IH 635 - \$455,720 - Financing: 1995 Bond Funds **[APPROVED; 98-2426]**
15. Authorize the rejection of bids received for the renovation of the Dallas Convention Center Ballroom A and authorize readvertisement for new bids - Financing: No cost consideration to the City **[APPROVED; 98-2427]**

CONSENT AGENDA (Continued)

LAND ACQUISITION

16. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 40,500 square feet of unimproved land and approximately 22,315 square feet of land with a structure, for the McCommas Bluff Development (list attached) - \$9,422 - Financing: Public/Private Partnership Funds **[APPROVED AS AN INDIVIDUAL ITEM; 98-2428]**
17. Authorize deposit of a Special Commissioners' Award for the acquisition from Leroy Lott and Gwendolyn Lott, of approximately 26,988 square feet of unimproved land, for the replacement of Fire Station No. 25, located near the intersection of 56th Street and South Lancaster Road - \$95,000 - Financing: 1985 Bond Funds **[APPROVED; 98-2429]**

LAND MISCELLANEOUS

18. Authorize a lease agreement with Galt LL, L.P., for approximately 1,121 square feet of office space located at 8500 Stemmons Freeway, to be used by the Psychological Services Unit of the Police Department - \$1,262 per month - Financing: Current Funds **[APPROVED; 98-2430]**
19. An ordinance granting a revocable license to Don Amireh dba Moda Global Fashion, for the use of approximately 14 square feet of land, to maintain an existing aerial sign in a portion of Elm Street right-of-way near Crowdus Street - Revenue \$350 plus the \$20 ordinance publication fee **[APPROVED; 98-2431; ORDINANCE NO. 23620]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

20. Authorize a twenty-four month multiple award price agreement for plumbing supplies with the lowest responsible bidders of three - APEX Supply Co., Triangle Supply and P&M Manufacturing Co. - Not to exceed \$321,150 - Financing: Current Funds (\$223,511), Water Utilities Current Funds (\$85,127), and Aviation Current Funds (\$12,512) **[APPROVED; 98-2432]**
21. Authorize the purchase of truck mounted bodies and heavy equipment with the lowest responsible bidders of seven - Equipment Southwest Inc., Hi-Way Equipment Company, and RDO Equipment Company - Not to exceed \$1,462,093 - Financing: 1996 Equipment Acquisition Contractual Obligation (\$337,632), 1997 Equipment Acquisition Contractual Obligation (\$1,077,647), Current Funds (\$46,814) **[APPROVED; 98-2433]**
22. Authorize a twenty-four month price agreement for the rental of portable chemical toilets with the lowest responsible bidder of four - BFI Waste Systems of North America Inc. - Not to exceed \$697,974 - Financing: Current Funds (\$676,392), Water Utilities Current Funds (\$21,582) **[APPROVED; 98-2434]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

23. Authorize a contract for the development of an interactive Windows-based community policing activity management system for the Police Department with Environmental Systems Research Institute, Inc., - Not to exceed \$74,795 - Financing: 1997-98 Advancing Community Policing Grant **[DELETED; 98-2435]**
24. A resolution concurring in the use of RAILTRAN funds for a twelve-month price agreement for mowing and other maintenance work on the RAILTRAN Corridor, with two twelve-month renewal options at the same price - Tribal Enterprises, Inc., only bidder - Not to exceed \$80,000 per year - Financing: RAILTRAN Current Funds (in the custody of the City of Fort Worth) **[APPROVED; 98-2436]**
25. Authorize a thirty-six month price agreement for securing open and vacant structures identified by Streets, Sanitation & Code Enforcement with the lowest responsible bidders of five - Herdemer Enterprises and TJW Enterprises Inc. - Not to exceed \$549,918 - Financing: Current Funds **[APPROVED; 98-2437]**
26. Authorize the rejection of bids received for anthracite filters and authorize readvertisement for new bids - Financing: No cost consideration to the City **[APPROVED; 98-2438]**
27. Authorize the rejection of the only bid received for a propane storage tank and authorize readvertisement for new bids - Financing: No cost consideration to the City **[APPROVED; 98-2439]**

MISCELLANEOUS

28. Authorize settlement of a lawsuit, styled Lee Earl Hubbard v. David Nofzinger, Cause No. 97-05793-G - Financing: Current Funds **[APPROVED; 98-2440]**
29. Authorize settlement of a lawsuit, styled Armando Hernandez v. Frank W. Blackbourn III and City of Dallas, Cause No. 98-00434-K - Financing: Current Funds **[APPROVED; 98-2441]**
30. Authorize settlement of a lawsuit, styled Bennie L. McGriff v. City of Dallas, Cause No. CC-98-05177-D - Financing: Current Funds **[APPROVED; 98-2442]**
31. Authorize settlement of a claim filed by Gail E. Jones, Claim No. 95-101004059-001 - Financing: Current Funds **[APPROVED; 98-2443]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

32. Authorize settlement of a claim filed by Avis Rent A Car, Claim No. 95-101003540-001 - Financing: Current Funds **[APPROVED; 98-2444]**
33. An ordinance adopting Dallas-Fort Worth International Airport Board Resolution Nos. 98-06-148 and 98-07-179, which provide for the adoption of current editions of model construction codes at the airport, with local amendments - Financing: No cost consideration to the City **[APPROVED; 98-2445; ORDINANCE NO. 23621]**
34. An ordinance awarding a franchise for 10 years to Level 3 Communications L.L.C. to provide local exchange telephone services - Revenue: \$2,500,000 over 10 years **[APPROVED; 98-2446; ORDINANCE NO. 23622]**
35. Authorize approval of the bi-weekly tax action **[APPROVED; 98-2447]**
36. Authorize **(1)** an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the property because of the services and improvements in the Vickery Meadow Public Improvement District; **(2)** the approval, adoption and filing of the assessment roll with the City Secretary; **(3)** requiring the City Secretary to publish notice of a special public hearing on September 23, 1998 to receive citizen comments on the continuation of the 1998 approved assessments on property within the District; **(4)** authorizing a public hearing to be held on September 23, 1998, in accordance with Chapter 372 of the Texas Local Government Code, to receive citizen comments on the proposed property improvements exclusive of right-of-ways, to Fund the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements; and **(5)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the property because of the services and improvements in the Vickery Meadow Public Improvement District; approving, adopting and filing with the City Secretary the assessment roll - Financing: No cost consideration to the City **[APPROVED; 98-2448; ORDINANCE NO. 23626]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

37. Authorize **(1)** approval of the Prestonwood Public Improvement District's Service Plan for 1999; **(2)** a public hearing to be held September 23, 1998 to receive citizen comments concerning the annual assessment rate for the Prestonwood Public Improvement District ("District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1998-1999; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[APPROVED; 98-2449]**
38. Authorize **(1)** approval of the Downtown Improvement District's Service Plan for 1999; **(2)** a public hearing to be held September 23, 1998 to receive citizen comments concerning the annual assessment rate for the Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Downtown Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Downtown Improvement District; approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 1999; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[APPROVED; 98-2450]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

39. Authorize **(1)** approval of the Uptown Public Improvement District's Service Plan for 1998-1999; **(2)** a public hearing to be held September 23, 1998 to receive citizen comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Uptown Public Improvement District; approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1998-1999; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[APPROVED; 98-2451]**
40. Authorize **(1)** a public hearing to be held on September 9, 1998 to receive citizen comments concerning the creation of **City of Dallas Reinvestment Zone No. 41**, consisting of approximately 10 acres **located at 17655 Waterview Parkway, City of Dallas, Texas**, in order for the property to be eligible for commercial-industrial tax abatement; **(2)** an ordinance creating **City of Dallas Reinvestment Zone No. 41** on September 9, 1998; and **(3)** a real property tax abatement agreement with ADS Alliance Data Systems, Inc. on September 9, 1998 - Financing: No cost consideration to the City **[APPROVED; 98-2452]**
41. Authorize **(1)** a public hearing to be held on October 28, 1998, to consider the creation of **Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, to be known as the Sports Arena TIF District**, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and **(2)** an ordinance creating **Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, at the close of the public hearing** - Financing: No cost consideration to the City **[APPROVED AS AN INDIVIDUAL ITEM; 98-2453]**
42. Authorize the assignment of the Real Property Tax Abatement Agreement, approved by City Council Resolution Number 96-3643 on November 13, 1996, between the City of Dallas and AmberJack, Ltd. to Hondo Valley, Inc. and Crow-Family Holdings, L.P. Hondo Valley, Inc. and Crow-Family Holdings, L.P. which has agreed to assume all of the terms and conditions outlined in the Agreement - Financing: No cost consideration the City **[APPROVED; 98-2454]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Hyatt-Regency Dallas Hotel Expansion

43. * Authorize **(1)** a real property tax abatement agreement with Reunion Hotel/Tower Joint Venture for the purpose of granting a ten-year abatement of 90% of taxes on added value to the real property in relation to the expansion and renovation of the Hyatt-Regency Dallas Hotel located on **Reunion Boulevard at Sports Street within City of Dallas Enterprise Zone One, City of Dallas, Texas 75201**; and **(2)** a 100% development fee rebate to Reunion Hotel/Tower Joint Venture in an amount not to exceed \$40,000 - Revenue: First year tax revenue estimated at \$32,580. Ten-year tax revenue estimated at \$325,800. (Estimated revenue foregone for ten-year abatement \$2,932,200) - Financing: Public/Private Partnership Funds **[APPROVED AS AN INDIVIDUAL ITEM; 98-2455]**
44. * A resolution authorizing an application to the Texas Department of Economic Development (formerly Texas Department of Commerce) nominating Reunion Hotel/Tower Joint Venture, located in **City of Dallas Enterprise Zone One located on Reunion Boulevard at Sports Street, Dallas, Texas 75201**, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Not to exceed \$300 - Financing: Current Funds **[APPROVED AS AN INDIVIDUAL ITEM; 98-2456]**

State-Thomas TIF

45. * Authorize a development agreement with Post Properties, a Real Estate Investment Trust, (hereinafter "Post Properties") for the funding and construction of certain public improvements in Heights of State-Thomas Phase V-A (Block 588) in **Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District)** and establish appropriations in an amount not to exceed \$1,300,000 - Financing: to be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund **[APPROVED; 98-2457]**

CONSENT AGENDA (Continued)MISCELLANEOUS (Continued)
State-Thomas TIF (Continued)

46. *A resolution declaring the intent of **Tax Increment Financing District Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District)** to reimburse Post Properties, a Real Estate Investment Trust (hereinafter "Post Properties") for the funding and construction of certain public improvements for Heights of State-Thomas Phase V-A (Block 588) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) - Not to exceed \$1,300,000 - Financing: to be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund **[APPROVED; 98-2458]**
47. Authorize a tangible personal property tax abatement agreement with National Data Services, Inc. and its lessor Wesco Fabrics, Inc. for the purpose of granting a three-year abatement of 75% of the taxes on tangible personal property new to the site for the retention and expansion of a mailing services and data processing company within **City of Dallas Enterprise Zone One located at 9121 King Arthur Drive, Dallas, Texas 75212** - Revenue: First year tax revenue estimated at \$1,751. Three-year tax revenue estimated at \$5,254. (Estimated revenue foregone for three-year abatement \$15,760) - Financing: No cost consideration to the City **[APPROVED; 98-2459]**
48. Authorize a contract with the Texas Department of Health for the continuation of local health services including core services for maternal and child health; community and rural health services; and services to non-Medicaid eligible clients through Title V for the period September 1, 1998 through August 31, 1999 - \$401,275 - Financing: Texas Department of Health Grant Funds **[APPROVED; 98-2460]**
49. Authorize a contract renewal with the University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel - Not to exceed \$376,660 - Financing: Current Funds **[APPROVED; 98-2461]**
50. Authorize a contract renewal with the University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director - Not to exceed \$117,370 - Financing: Current Funds **[APPROVED; 98-2462]**
51. Authorize (1) a 24-month contract with Parkland Memorial Hospital for Biomedical On-Line Supervision in an amount not to exceed \$1,213,483 and (2) Interlocal Agreements with thirteen participating local governmental entities which will reimburse the City of Dallas \$533,933 (44% of the cost) (list attached) - Financing: Current Funds **[APPROVED; 98-2463]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

52. Authorize payment for tuition to the Dallas County Community College District for mandatory Emergency Medical Services training of Emergency Medical Technicians and Paramedics for the period October 1, 1998 through September 30, 1999 - Not to exceed \$121,850 - Financing: Current Funds **[APPROVED; 98-2464]**
53. Authorize exercise of the first of two one-year renewal options to the contract with Lindsey Morden Claims Management, Inc., to provide third party administration of liability claims management and adjusting services for the period October 1, 1998 through September 30, 1999 - Not to exceed \$504,168 - Financing: Current Funds **[APPROVED; 98-2465]**
54. Approval of the Dallas-Fort Worth International Airport 1998-99 Budget - Financing: No cost consideration to the City **[APPROVED AS AN INDIVIDUAL ITEM; 98-2466]**
55. Authorize an economic development grant agreement under the Enterprise Community Grant Program for the period August 26, 1998 through December 31, 2004, with ACCION Texas, Inc. to establish and operate a Micro-lending Program in the city of Dallas - \$50,000 - Financing: Enterprise Community Grant Funds **[APPROVED; 98-2467]**
56. Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 1998 through August 31, 1999 and execution of the grant agreement - \$399,716 - Financing: Texas State Library and Archives Commission Grant Funds **[APPROVED; 98-2468]**
57. Authorize an amendment of the Interlocal Agreement with the Texas Department of Transportation for the restoration/renovation of the Automobile and Centennial Buildings at Fair Park and authorize an increase in appropriations of funds from Federal Intermodal Surface Transportation Efficiency Act - Financing: No cost consideration to the City **[APPROVED; 98-2469]**

1998 Omnibus Appropriations Local Law Enforcement Block Grant

58. * Authorize a public hearing to be held on September 9, 1998 to receive citizen comments on the 1998 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: This action has no cost consideration to the City **[APPROVED; 98-2470]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

1998 Omnibus Appropriations Local Law Enforcement Block Grant (Continued)

59. * Authorize the City of Dallas to apply for the 1998 Omnibus Appropriations Local Law Enforcement Block Grant from the U. S. Department of Justice, Bureau of Justice Assistance for crime prevention and improved public safety activities - Not to exceed \$4,802,002 - Financing: U. S. Department of Justice, Bureau of Justice Assistance Grant Funds not to exceed \$4,321,803) and Cash Match (not to exceed \$480,199 should the grant be awarded) **[APPROVED; 98-2471]**
60. A resolution **(1)** authorizing a development agreement with Baylor Health Care System which is part of Baylor Health Care Enterprises for the funding and construction of certain public improvements on Hall Street from Gaston Avenue to Worth Street, **(2)** declaring the intent of the City of Dallas to reimburse Baylor Health Care System in an amount not to exceed \$1,000,000 and **(3)** the establishment of appropriations in Water Utilities Capital Construction Funds in the amount of \$40,900 - Financing: Water Utilities Capital Construction Funds (\$40,900) and Private Funds (to be reimbursed from the proceeds of the sale of 1998 General Obligation Bonds) (\$1,000,000) **[APPROVED AS AN INDIVIDUAL ITEM; 98-2472]**

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARING

61. A public hearing to receive citizen comments in preparation of the proposed FY 1998-99 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[HEARING CLOSED; 98-2473]**

ZONING CASES - CONSENT [APPROVED; 98-2474]

62. Application for the termination of deed restrictions on property presently zoned as Planned Development District No. 335 for MU-3 Mixed Use District Uses at the southwest corner of Preston Oaks Road and Montfort Drive, and a resolution authorizing acceptance of an instrument terminating the deed restrictions
Recommendation of Staff and CPC: Approval
Z978-171/6521-NC(LS) **[CPC RECOMMENDATION FOLLOWED; 98-2475]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES - CONSENT (Continued)

63. A City Plan Commission authorized hearing to determine proper zoning with consideration being given to the granting of a Special Purpose Planned Development District for residential, light industrial, commercial and retail uses on property presently zoned a CS Commercial Service District, a CS-D-1 Commercial Service-Dry District, a TH-3 (A)Townhouse District, an IM Industrial Manufacturing District, an IM-D-1 Industrial Manufacturing-Dry District, an RR Regional Retail District, a CR Community Retail District, and Planned Development District No. 376 on both sides of C.F. Hawn Freeway between Lake June Road and Buckner Boulevard
Recommendation of Staff and CPC: Approval of a Special Purpose Planned Development District, subject to conditions
Z978-197/10534-SE(CG) **[CPC RECOMMENDATION FOLLOWED; 98-2476]**
64. Application for and an ordinance granting an MU-2 Mixed Use District on property presently zoned an IM Industrial Manufacturing District on the northwest side of Clarence Street, northeast of King Street
Recommendation of Staff and CPC: Approval
Z978-272/10611-SE(LS) **[CPC RECOMMENDATION FOLLOWED; 98-2477; ORDINANCE NO. 23623]**
65. Application for and an ordinance granting a CR Community Retail District on property presently zoned a TH-3(A) Townhouse District on the north side of Frankford Road, east of Kelly Boulevard, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning
Recommendation of Staff: Approval
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z978-174/10525-NC(KC) **[CONTINUED UNTIL 09/09/98 WITH HEARING OPEN; 98-2478]**

ZONING CASES - INDIVIDUAL

66. Application for and an ordinance granting a CR Community Retail District on property presently zoned a TH-3(A) Townhouse District on the north side of Frankford Road, east of Kelly Boulevard, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z978-175/10526-NC(KC) **[CONTINUED UNTIL 09/09/98 WITH HEARING OPEN; 98-2479]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES UNDER ADVISEMENT - INDIVIDUAL

67. Application for and an ordinance granting an amendment to the conditions for the Tract IIA portion of Planned Development District No. 160 for Residential and Office Uses by creating a new Tract IIc that would permit Tract IIA uses and development standards as well as permitting a surface parking use on property on the northwest side of Bishop Avenue, southwest of Colorado Boulevard
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to conditions
Z978-203/5983-SW(RB) **[CPC RECOMMENDATION FOLLOWED; 98-2480; ORDINANCE NO. 23624]**

Note: This application was considered by the City Council at a public hearing on August 12, 1998, and was taken under advisement until August 26, 1998, with the public hearing open.

68. Application for and an ordinance granting a Planned Development District for a Private School, Church, and a Mounted Cellular Antenna on property presently zoned a D(A) Duplex District and a CR Community Retail District on both sides of Hillcrest Road, north of Arapaho Road
Recommendation of Staff: Approval of the Tract I portion of the area of request, subject to a development/landscape plan and conditions, and denial of the Tract II portion of the area of request
Recommendation of CPC: Approval, subject to a development/landscape plan and conditions
Z978-204/10149-NC(RB) **[APPROVED AS AMENDED; 98-2481; ORDINANCE NO. 23625]**

Note: This application was considered by the City Council at a public hearing on August 12, 1998, and was taken under advisement until August 26, 1998, with the public hearing open.

CERTIFICATES OF APPROPRIATENESS FOR SIGNS - INDIVIDUAL

69. Consideration of an appeal of the action of the City Plan Commission on an application for a Certificate of Appropriateness for a 294 square foot illuminated, attached commercial premise sign on the northwest side of the structure located at 443 Olive Street
Recommendation of Staff: Approval
Action of CPC: Approval of a Certificate of Appropriateness for a sign with an effective area of 144 square feet in lieu of the requested 294 square foot effective area
9804281052 **[CPC RECOMMENDATION FOLLOWED; 98-2482]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)CERTIFICATES OF APPROPRIATENESS FOR SIGNS - INDIVIDUAL (Continued)

70. Consideration of an appeal of the action of the City Plan Commission on an application for a Certificate of Appropriateness for a 207 square foot illuminated, attached commercial premise sign on the northwest side of the structure located at 400 Olive Street
Recommendation of Staff: Approval
Action of CPC: Approval of a Certificate of Appropriateness for a sign with an effective area of 144 square feet in lieu of the requested 207 square foot effective area
9804281053 **[CPC RECOMMENDATION FOLLOWED; 98-2483]**
71. Consideration of an appeal of the action of the City Plan Commission on an application for a Certificate of Appropriateness for a 207 square foot illuminated, attached commercial premise sign on the southeast side of the structure located at 400 Olive Street
Recommendation of Staff: Approval
Action of CPC: Approval of a Certificate of Appropriateness for a sign with an effective area of 144 square feet in lieu of the requested 207 square foot effective area
9804281054 **[CPC RECOMMENDATION FOLLOWED; 98-2484]**

ITEMS FOR INDIVIDUAL CONSIDERATION

72. Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) **[NO APPOINTMENTS MADE TO BOARDS; 98-2485]**
73. Proposal to consider adoption of a 65.16¢/\$100 tax rate on September 23, 1998 and authorize a public hearing on September 9, 1998 to receive citizen comments on the proposed 65.16¢/\$100 tax rate - Financing: No cost consideration to the City **[APPROVED; 98-2486]**
74. A resolution imposing a moratorium on the acceptance of applications for building permits and certificates of occupancy for an inside commercial amusement use operating as a bingo parlor in the CR community retail district; directing the city manager and the city plan commission to perform appropriate analyses, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the city council regarding appropriate amendments to the zoning regulations governing an inside commercial amusement use operating as a bingo parlor in the CR community retail district (Mayor Pro Tem Poss, Deputy Mayor Pro Tem Salazar, and Councilmembers Walne, Mayes, Hicks, Blumer, Loza, Duncan, Finkelman, Greyson, and Forsythe Lill via Mayor Kirk) **[APPROVED; 98-2487]**

Closed Session **[CLOSED SESSION HELD; 98-2488]**

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)
- City of Dallas v. Department of Transportation, et al.,
Civil Action No. 4-97CV-939-A
- Continental Airlines, Inc. and Continental Express,
Inc. v. City of Dallas, Texas and City of Fort Worth,
Texas, Cause No. 3-98-CV-1187-R

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion and evaluation of candidates for appointment to
the positions of City Secretary and City Attorney

ADDENDUM

ADDITIONS:Closed Session **[CLOSED SESSION HELD; 98-2488]**

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

- AT&T Communications of the Southwest, Inc. V. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No. 3-98-CV-0843-R; Teligent, Inc. V. City of Dallas, Cause No. 3-97-CV-3052-R
- Baby Dolls Topless Saloons, Inc. d/b/a Baby Dolls Saloon-East, et. al. v. City of Dallas Cause No. 3-97-CV-1331-R (Sexually Oriented Business lawsuit)
- Derek and Brenda Wirgau v. City of Dallas, Cause No. 96-10486
- Eddie and Sharon Jackson v. City of Dallas, Cause No. 96-12951
- Legal issues regarding Addendum Item No. 7

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion of the reappointment of municipal judges Prewitt and Gonzalez

ITEMS FOR INDIVIDUAL CONSIDERATION

1. A resolution appointing Angela K. Washington as interim City Attorney for the City of Dallas (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)
[APPROVED; 98-2489]
2. Authorize assignment of the 20-year lease agreement from the Animal Foundation International to the Fund for Animals, Inc. For approximately 4,000 square feet of space at 4830 Village Fair Drive, for the continued operation and maintenance of a low cost spay/neuter clinic - Financing: No cost consideration to the City
[APPROVED; 98-2490]

ADDENDUM

ADDITIONS:ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

3. Authorize an amendment to the existing lease for the Dallas Navel Air Station, with the United State of America, acting through the United States Navy, providing that the Navy may terminate the lease by giving the City a 60-day written notice - Financing: No cost consideration to the City **[APPROVED; 98-2491]**
4. Declare approximately 2,893 square feet of City-owned land, located near the intersection of South Akard Street and Commerce Street, unwanted and unneeded and authorize the sale to Holtze Magnolia, LLLP, the abutting owner - Revenue: \$58,120 **[APPROVED; 98-2492; ORDINANCE NO. 23627]**
5. Approval of a partial release of the City's second lien on 15.09 acres of a 302 acre secured parcel located at I-20 and Bonnie View Road which is owned by LBJ Diamond Partnership and is located within the Foreign Trade Zone and Enterprise Zone Number Three, City of Dallas, Texas - Financing: No cost consideration to the City **[APPROVED; 98-2493]**
6. A resolution directing the City Manager to initiate the process to acquire professional search services to identify additional candidates for the position of City Attorney - Financing: No cost consideration to the City **[APPROVED; 98-2494]**
7. Authorize payment to the Employees' Retirement Fund of the City of Dallas for contributions that should have been made on behalf of certain City of Dallas employees by the City of Dallas - \$150,921 - Financing: Current Funds **[APPROVED; 98-2495]**
8. Authorize settlement of two lawsuits, styled Derek and Brenda Wirgau v. City of Dallas, Cause No. 96-10486; and Eddie and Sharon Jackson v. City of Dallas, Cause No. 96-12951 - Financing: Current Funds **[APPROVED; 98-2496]**

ITEMS FOR FURTHER CONSIDERATION

9. A resolution reappointing Gustavo E. Gonzales and Brenda P. Prewitt as full-time municipal court judges - Financing: No cost consideration to the City **[GONZALES REAPPOINTED;PREWITT WAS NOT REAPPOINTED; 98-2497]**