

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 14, 1998

98-0100

VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR RON KIRK, PRESIDING

PRESENT: [13] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Blumer, Forsythe Lill
ABSENT: [1] Greyson
VACANT: [1]Place 3

The meeting was called to order at 9:27 a.m.

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

The invocation was given by Councilmember Alan Walne.

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 6:28 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, JANUARY 14, 1998

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 14, 1998

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0101

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: Reunion Arena

SPEAKER: Marvin Steakley, 6531 Ridgeview Cir.
SUBJECT: Violation of 6.3 of City Council Rules of Procedure

SPEAKER: Roy Williams, 5881 Preston View Blvd.
SUBJECT: "Just Say No To Perot"

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Harold Cox, 7415 Ridgewick Dr.
SUBJECT: Community issues

SPEAKER: DeWayne Dallas, 6266 St. Albans Dr.
SUBJECT: Dallas City Sports Arena

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Dallas Police/Park and Recreation

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0102

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of December 10, 1997, was presented for approval.

Mayor Pro Tem Poss moved to approve the minutes.

Motion seconded by Councilmember Mayes and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0103

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-45, was presented for consideration.

Councilmember Lipscomb moved to approve all items on the consent agenda.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0104

Item 2: Authorize professional services contracts to provide design services with Newman, Jackson, Bieberstein, Inc. for site development at Anderson-Bonner Park (\$31,330); JPJ Architects for fountain repairs at Betty B. Marcus Park (\$21,400); Dunaway Associates, Inc. for erosion control at Lizzie Oliver Park (\$15,700); Talley Dawson for site development at Fair Oaks Park (\$60,200) and Urbandale Park (\$24,100) and playground replacement at White Rock Lake Winstead, Garrett and Umphress Parks (\$19,300) - \$172,030 - Financing: 1995 Bond Funds (\$126,530), 1982 Bond Funds (\$21,400), 1996-97 Community Development Grant Funds (\$24,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0105

Item 3: Authorize professional services contracts to provide design services with Selzer Associates, Inc. for an addition to Cummings Recreation Center (\$59,950); AAE Architects, Inc., for renovation of the Bird and Reptile Building vestibule and breezeway restrooms (\$15,350) and Urban Architecture for construction of a new restaurant at the Dallas Zoo (\$30,120) - \$105,420 - Financing: 1995 Bond Funds (\$30,120), Current Funds (\$15,350), and 1997-98 Community Development Grant Funds (\$59,950)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0106

Item 4: Authorize professional services contracts to provide design services with John S. Chase, FAIA, Architect, Inc. for renovation of the John C. Phelps Recreation Center (\$24,667) and Spencer Design Group for renovation of the Mildred Dunn Recreation Center (\$15,830) - \$40,497 - Financing: 1995 Bond Funds (\$15,830) and 1997-98 Community Development Grant Funds (\$24,667)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0107

Item 5: Authorize professional services contracts with Jones & Boyd, Inc. to provide design services for ballfield improvements at Cotillion, Mountain Valley (Merrifield) and Seaton Parks (\$35,500) and for trail improvements at Crawford Elam Park (\$21,500) and with McCarthy Hammers Architects to provide bidding and contract administration for Tenison Golf Course driving range, parking and teaching center at W. W. Samuell-Grand Park (\$21,500) - \$78,500 - Financing: 1995 Bond Funds (\$14,000), 1997-98 Community Development Grant Funds (\$43,000) and Golf Improvement Funds (\$21,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0108

Item 6: Authorize a professional services contract with Conley Design Group, Inc. to provide consulting services for roof repairs at the Fair Park Coliseum Building - \$33,300 - Financing: Fair Park Agrarian District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0109

Item 7: Authorize a contract for the construction of a new playground, pedestrian bridge, walks, landscape and irrigation at Cedar Run Park - Texas Environmental Management, Inc., lowest responsible bidder of four - \$133,866 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0110

Item 8: Authorize a contract for the construction of a new picnic shelter, playground, picnic and park furniture, sidewalks and fencing at Kimble Park - Irri-Con, lowest responsible bidder of four - \$83,280 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0111

Item 9: Authorize a contract for Phase II Tower Building renovation at Fair Park - Southcrest Corporation, lowest responsible bidder of five - \$2,064,777 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0112

Item 10: Authorize a contract for the roof replacement and asbestos abatement at Fire Station No. 14 located at 1005 West 12th Street - Sta Dri Company, Inc., lowest responsible bidder of four - \$52,777 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0113

Item 11: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements for Mohawk Drive from Anson Road to Roanoke Avenue - C. D. Pugsley, Inc., lowest responsible bidder of five - \$686,523 - Financing: 1995 Bond Funds (\$482,203), Water Utilities Capital Improvement Funds (\$185,920), Water Utilities Capital Construction Funds (\$18,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0114

Item 12: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements for Street Group 422 - Tiseo Paving Co., lowest responsible bidder of six - \$1,312,641 - Financing: 1995 Bond Funds (\$713,092), Water Utilities Capital Improvement Funds (\$551,959), Water Utilities Capital Construction Funds (\$47,590)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0115

Item 13: Authorize a contract for the reconstruction of street improvements on Van Ness Lane from Mixon Drive to Post Drive - Roadway Engineering and Construction, Inc., lowest responsible bidder of four - \$92,125 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0116

Item 14: Authorize Supplemental Agreement No. 1 to the contract with Conley Design Group, Inc. to provide consulting services for roof repairs at the Dallas Zoo Annex Building - \$4,420, from \$14,812 to \$19,232 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0117

Item 15: Authorize an increase in the contract with Young Electric, Inc. to provide a smoke and fire alarm system for the Lake June Pump Station - \$47,248, from \$3,391,407 to \$3,438,655 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0118

Item 16: Authorize the rejection of the only bid received for drainage improvements at City Park 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

January 14, 1998

98-0119

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jack Gonz and Jean Gonz, of approximately 489 square feet of unimproved land located near the intersection of Creekmere Drive and Peavy Road for drainage improvements to Vinemont Channel - \$1,445 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0120

Item 18: Authorize settlement, in lieu of proceeding to a second jury trial, with Jack Topletz, et al, for approximately 5,000 square feet of land, located near the intersection of Munger Avenue and Central Expressway for improvements to North Central Expressway - \$61,123 - Financing: 1989 Bond Funds (75% to be paid by the State)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0121

Item 19: Authorize the second one-year renewal option of a Parking Agreement for sixty-five parking spaces with Turner Parking Systems, Inc., for the continued use by the Police Department - Consideration: \$3,250 per month, for a total of \$39,000 annually - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0122

Item 20: Authorize the execution of the second amendment to the Lease Agreement with the Sammons Center for the Arts located at 3630 Harry Hines Boulevard, formerly known as Turtle Creek Center for the Arts, as Lessee, and the City of Dallas, as Landlord, to extend the term of the lease, continue the existing annual rental payment, and include additional provisions and conditions to the lease - Revenue: \$1,000 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0123

Item 21: Authorize the execution of a quitclaim deed to Margaret Bennett Cullum for approximately 3,993 square feet of surplus D/FW RAILTRAN System easement, near the intersection of Regal Row and Sovereign Row - Revenue: \$650

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0124

Item 22: An ordinance abandoning an alley and a portion of Addison Street to Southern Foods Group, L.P., the abutting owner, containing approximately 19,704 square feet of land, located near the intersection of Addison Street and Ewing Avenue, and authorizing the quitclaim - Revenue: \$44,718 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23392.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0125

Item 23: An ordinance abandoning Villa Cliff Drive, Valley Glen Drive, and an alley to Enchanted Hills Limited Partnership, the abutting owner, containing approximately 76,925 square feet of land in exchange for the rededication of 64,666 square feet of land for the abandoned streets as private drives, located near the intersection of Highland Road and Ferguson Road, and authorizing the quitclaim - Revenue: \$14,588 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23393.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0126

Item 24: An ordinance abandoning a portion of a fire lane easement to Robert L. Ford, the abutting owner, containing approximately 19,240 square feet of land, located near the intersection of Scyene Road and Lolita Drive and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23394.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0127

Item 25: An ordinance abandoning a portion of a wastewater easement to C.C. Young Memorial Home for the Aged, the abutting owner, containing approximately 1,688 square feet of land, located near the intersection of West Lawther Drive and Northwest Highway East, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23395.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0128

Item 26: Authorize the purchase of five replacement wrecker bodies with the lowest responsible bidder of four - Texas Wrecker Sales - Not to exceed \$111,625 - Financing: 1992 Equipment Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0129

Item 27: Authorize a twenty-four month price agreement for traffic signal long life lamps with the lowest responsible bidder of five - Duro-Test Corporation - Not to exceed \$179,330 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0130

Item 28: Authorize a thirty-six month price agreement for liquid ferric sulfate with the lowest responsible bidder of two - Fe3, Inc. - Not to exceed \$10,866,960 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0131

Item 29: Authorize an emergency purchase of NSF 60 certified liquid chlorine delivered by truck including the rental of chlorine pressure vessels - DPC Industries Company - \$730,500 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0132

Item 30: Authorize a thirty-six month price agreement for citywide security guard services with the lowest responsible bidder of three - Wells Fargo Guard Services - Not to exceed \$3,951,813 - Financing: Current Funds (\$3,403,516), Water Utilities Current Funds (\$548,297)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0133

Item 31: Authorize settlement of a lawsuit styled Adam Garvin v. City of Dallas and Joseph P. Thompson, Civil Action No. 3:97-CV-0491-BC - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0134

Item 32: Authorize settlement of a lawsuit styled Henry Imarhiagbe v. Garry Ragsdale and City of Dallas, Cause No. CC-95-00568-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0135

Item 33: Authorize settlement of a lawsuit styled Lawrence K. Wright, et al. v. Jerry Kastler, et al., Civil Action No. 3:95-CV-1496-X - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0136

Item 34: Authorize settlement of a lawsuit styled Juan Vega and Alma Vega v. City of Dallas and Joe DeCorte, Cause No. CC-96-09305-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0137

Item 35: Authorize Supplemental Agreement No. 6 to the professional services contract with the law firm of McKool Smith, P.C. for legal services necessary in the lawsuit styled Debra Walker, et al. v. HUD, et al., in an amount not to exceed \$350,000, increasing the original contract and Supplemental Agreement total from \$1,025,000 to \$1,375,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0138

Item 36: Authorize an amendment to the annual taxicab operating authority of Choice Cab, Inc. to increase its authorized fleet by 60 vehicles from 260 to 320 - Revenue: \$15,000 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0139

Item 37: Authorize an interlocal agreement with Dallas County to provide emergency assistance for persons eligible for services under the Housing Opportunities for Persons with AIDS (HOPWA) contract for the period October 1, 1997 through September 30, 2000 - \$2,084,808 - Financing: 1997-98 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0140

Item 38: Authorize contracts with New Arts Six and Deep Ellum Theater for the provisions of services to the City through the Cultural Organization Program - Not to exceed \$55,127 - Financing: Current Funds (\$50,685) and Texas Commission on the Arts (\$4,442)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0141

Item 39: Authorize: 1) a retroactive increase in compensation for those full-time municipal court judges who have reached two years of service with the City of Dallas and for associate (part-time) municipal court judges who have reached two years of service and three hundred hours of actual court duty, and 2) authorize an increase in compensation for full-time municipal judges who have less than two years of service with the City of Dallas to be effective on their second anniversary of appointment and for associate (part-time) municipal judges who have less than two years of service to be effective on their second anniversary of appointment and the completion of at least three hundred hours of actual court duty - \$24,660 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0142

Item 40: Approve the 1997-98 Work Program for the Department of Planning and Development -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0143

Item 41: Authorize the adoption of the Ferguson Road Urban Design Study as a guide to implement future development along Ferguson Road from R.L. Thornton Freeway (I-30) to Buckner Boulevard, and along Highland Road from the AT&SF railroad tracks to Jim Miller Road – Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0144

Item 42: An ordinance authorizing a change of zoning to 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 (Z967-222/10310-C(KC) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23396.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0145

Item 43: Authorize application for and acceptance of the 1997-98 Advancing Community Policing grant from the U. S. Department of Justice and execution of the grant agreement - \$248,400 - Financing: U. S. Department of Justice, Office of Community Oriented Policing Service Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0146

Item 44: Authorize a participation agreement between the City of Dallas and the Richardson Independent School District for the construction of traffic signals at the intersections of Church Road at White Rock Trail and Audelia Road at Ferndale Road - \$160,000 - Financing: 1985 Bond Funds (\$40,000), Richardson Independent School District (\$120,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0147

Item 45: Authorize acceptance of a grant from the Texas Natural Resource Conservation Commission for a learning center and composting classes at the Dallas Zoo, and execution of the grant agreement - \$100,429 - Financing: Texas Natural Resource Conservation Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0148

Item 46: Miscellaneous Hearing - Reinvestment Zone Number 40

A public hearing was called to receive citizen comments concerning the creation of a reinvestment zone for commercial-industrial tax abatement, to be known as City of Dallas Reinvestment Zone Number 40, consisting of approximately 4.6 acres located near the northwest corner of Camp Wisdom and Polk, City of Dallas, Texas 75232, for the purpose of granting tax abatement on the added value to the real property to Minyard Food Stores, Inc. - Financing: No cost consideration to the City.

No one addressed the city council regarding the Reinvestment Zone Number 40.

Councilmember Hicks moved to close the public hearing.

Motion seconded by Councilmember Mayes and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0149

Item 47: Public Hearing - Reinvestment Zone Number 40

A public hearing was called to authorize (1) an ordinance designating property, consisting of approximately 4.6 acres located near the northwest corner of Camp Wisdom Road and Polk Street, City of Dallas, Texas 75232, as City of Dallas Reinvestment Zone Number 40, for commercial-industrial tax abatement for the purpose of granting real property tax abatement to Minyard Food Stores, Inc. and Minyard Properties, Inc., establishing the boundaries thereof, and providing for an effective date; (2) the City Manager to rescind the real property tax abatement agreement with Minyard Food Stores, Inc. and Minyard Properties, Inc. authorized on October 12, 1994 by City Council Resolution 94-3660 for a supermarket at Highway 67 and Polk and to execute a real property tax abatement agreement with Minyard Food Stores, Inc. and Minyard Properties, Inc. for abatement of taxes on added value to the real property for the development of a new supermarket at Camp Wisdom and Polk; and (3) a 100% development fee rebate in an amount not to exceed \$11,000 for property located within City of Dallas Reinvestment Zone No. 40, consisting of approximately 4.6 acres located near the northwest corner of Camp Wisdom Road and Polk Street, City of Dallas, Texas 75232 - Not to exceed \$11,000 - Revenue: First year tax revenue at \$1,303. Ten-year tax revenue at \$13,030. (Estimated revenue foregone for ten-year abatement \$117,288) - Financing: Public/Private Partnership Fund

No one addressed the city council regarding Reinvestment Zone 40.

Councilmember Hicks moved to close the hearing and pass the ordinance.

Motion seconded Councilmember Mayes and unanimously adopted. (Greyson absent)

Assigned ORDINANCE NO. 23397.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0150

Item 48: Public Hearing

A public hearing was called to receive citizen comments on, and Council action on the proposed use of a portion of the Turtle Creek Greenbelt for street right-of-way in conjunction with the construction of a new bridge across Turtle Creek - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Turtle Creek Greenbelt:

- Joe Martin, 3105 Gladiolus Ln.
- Steve Kanoff, 3883 Turtle Creek Blvd., representing SW Properties

Councilmember Forsythe Lill moved to close the public hearing.

Motion seconded by Councilmember Mayes.

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

Voting Yes:	[13]	Kirk, Poss, Salazar, Loza, Duncan, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Blumer, Forsythe Lill
Voting No:	[0]	
Absent:	[1]	Greyson
Vacant:	[1]	Place 3

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0151

Item 49: Public Hearing

A public hearing was called to receive citizen comments in preparation of the proposed 1998 Capital Improvement General Obligation Bond Program - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the 1998 Capital Improvement General Obligation Bond Program:

- James Curry, 3530 N. Versailles Ave.
- Liz Blyberg, 11131 Templemore Dr.
- Linda Holler, 3608 Highbluff Dr.
- Elsie Risby, 2900 Dilido Dr.
- Ted Galbreath, 1300 Cullum La.
- Shawnalis Cusato, 4026 Park La.
- Cile Holloway, 4439 Goodfellow Dr.
- Cordie Hines, 6601 Thunder Rd., representing Literacy Volunteers of America
- Connie Lalumia, 615 Santa Anita Dr., representing Richwood Park Neighborhood Association
- Terri Hodge, 2435 Birmingham Ave., representing Friends of Fair Park
- Lee Simpson, 7199 Green Tree La.
- Marguerite Foster, 2166 Van Cleave Dr., representing Lancaster-Kiest Library Friends
- Sandy Melton, 6622 Chevy Chase Ave.
- David Willette, 10707 Preston Rd., representing North Dallas Chamber of Commerce
- Robert Tremble, 5936 Woodland Dr.
- Billy Allen, 830 Misty Glen La.
- Jeanette Lee, 2314 Roanoke Ave.
- Vikki Martin, 8230 Claremont Dr., representing Claremont Addition Neighborhood Association
- Bill Coleman, 2001 N. Buckner Blvd., representing Casa Linda Homeowners Association N. Buckner
- Dick Baker, 2550 Highland Rd., representing Forest Creek Homeowners Association
- Phillip Randall, 2444 Telegraph Ave., representing Bayles Elementary School

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
98-0151

January 14, 1998
Page 2

5/31/11 14:40
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

- Kenneth Cantrell, 6209 St. Moritz Ave., representing Lower Ferguson Road Steering Committee
- Bill Graf, 9111 Bretshire Dr., representing Good Samaritan Episcopal Church
- Frank Bodzin, 4816 Myerwood La.
- Chris Perez, 3700 Ross Ave.
- Gary Romeo, 18809 Lina St.
- Henry Estes, 5315 S. Dentwood Dr., representing Dallas Zoo
- Joe Martin, 3105 Gladiolus La.
- Richard Geiger, 647 Bizerte Ave.
- Howard Hallam, 5330 Dentwood Dr.
- John Dayton, 9779 Audubon Pl., representing Performing Arts Center
- Ray Quintanilla, 8512 Blue Bonnet Rd., representing Dallas Childrens' Theatre
- Ann Williams, 2040 Argyle Ave., representing Dallas Black Dance Theatre
- Dena Jones, 702 Meadowbrook Dr., Duncanville, representing Friends of the Dallas Public Library
- Lonica Baber, 600 E. Arkansas, Arlington
- Enid Breakstone, 1753 Mariposa Dr.
- Fred Schuster, 9522 Zelkova Cir.
- Rebecca Clay, 542 Windy La.
- Kathy Matthews, 12004 Belafonte Dr.
- Pat Bowman, 7040 Tokalon Dr.

Mayor Pro Tem Poss moved to close the public hearing.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0152

Item 50: Public Hearing

A public hearing to receive citizen comments on an application to close Birkenhead Court at Carmel Street to through traffic under provisions of the "Policy for Closure of Local Residential Streets to Vehicular Traffic" and a resolution directing the City Manager to work with the applicant to complete the closure process - Financing: No cost consideration to the City

No one addressed the city council regarding the closure.

Councilmember Forsythe Lill moved to close the public hearing.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0153

Item 51: Miscellaneous Hearing

A public hearing was called to received citizen comments to authorize an amendment to the Thoroughfare Plan to reduce the right-of-way and pavement width of Frankford Road from Coit Road to Waterview Parkway and an ordinance implementing the change - Financing: No cost consideration to the City. This item was considered by the city council on December 10, 1997 and was taken under advisement until January 14, 1998 with the public hearing open.

No one addressed the city council regarding the amendment.

Councilmember Finkelman moved to postpone consideration of the amendment until the February 11, 1998 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0154

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 52-57 was presented.

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

- Agenda item 52: Zoning Case Z967-299/10376-NW(KC)
- Agenda item 53: Zoning Case Z978-101/9830-NE(LS)
- Agenda item 54: Zoning Case Z978-102/10444-NE(KC)
- Agenda item 55: Zoning Case Z978-103/10445-C(KC)
- Agenda item 56: Zoning Case Z978-106/1744-SE(KC)
- ~~Agenda item 57: Zoning Case Z978-108/4518-NC(LS)~~ [Considered individually]

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

No one appeared to comment on cases on the consent zoning docket.

Deputy Mayor Pro Tem Salazar 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 Mayes and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0155

Item 52: Zoning Case Z967-299/10376-NW(KC)

Zoning Case Z967-299/10376-NW(KC), an application for and an ordinance granting a Planned Development District for certain IM Industrial Manufacturing District Uses, a Metal Salvage Facility and an Outside Salvage or Reclamation Use on property presently zoned an IM Industrial Manufacturing District and an IR Industrial Research District on the south side of West Commerce Street, west of Darien Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23398.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0156

Item 53: Zoning Case Z978-101/9830-NE(LS)

Zoning Case Z978-101/9830-NE(LS), an application for and an ordinance granting a CR Community Retail District on property presently zoned a GO(A) General Office District at the northeast corner of Forest Lane and LBJ Freeway.

(The city plan commission recommended approval.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23399.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0157

Item 54: Zoning Case Z978-102/10444-NE(KC)

Zoning Case Z978-102/10444-NE(KC), an application for an MF-2(A) Multifamily District on property presently zoned a GO(A) General Office District on the west side of Manderville Lane, north of Meadow Road, and an ordinance granting an MF-2(SAH) Multifamily (Standard Affordable Housing) District.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23400.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0158

Item 55: Zoning Case Z978-103/10445-C(KC)

Zoning Case Z978-103/10445-C(KC), an application for and an ordinance granting a P(A) Parking District on property presently zoned an MF-2(A) Multifamily District at the southwest corner of Hill Street and Simpson Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23401.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0159

Item 56: Zoning Case Z978-106/1744-SE(KC)

Zoning Case Z978-106/1744-SE(KC), an application for and an ordinance granting an amendment to Planned Development District No. 323, the Urbandale Area Special Purpose District, to create a new Area to allow the additional use of Industrial (inside) for Light Manufacturing at the north corner of Military Parkway and Crest Hill Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23402.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0160

Item 57: Zoning Case Z978-108/4518-NC(LS)

The consent zoning docket, consisting of agenda items 52-56, was presented.

Councilmember Finkelman requested that zoning case docket item 57 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 57 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Finkelman's request.

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

A public hearing was called on zoning case Z978-108/4518-NC(LS), and the City Plan Commission authorized a hearing to consider an amendment to the development plan and conditions for Planned Development District No. 365 for Single Family Residential Uses to allow zero side yard setbacks for single family dwellings on property on the west side of Campbell Road, north of Preston Fairways Drive (South), and an ordinance granting the proposed amendments.

(The city plan commission recommended approval of an amended development plan and conditions.)

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

Appearing in favor of the city plan commission recommendation:

-- Michael Coker, 6360 LBJ Frwy., representing the applicant

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

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

Assigned ORDINANCE NO. 23403.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0161

Item 58: Public Hearing - Zoning Case Z967-287/10368-C(CR)

A public hearing was called on zoning case Z967-287/10368-C(CR, an application for a GR General Retail Subdistrict and removal of the D-Dry Overlay District on property presently zoned an MF-3-D Multiple Family-Dry Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the south corner of Shelby Street and Fairmount Street .

(The city plan commission recommended denial without prejudice of a GR General Retail Subdistrict, and denial of the removal of the Dry Overlay District.)

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

Appearing in favor of the city plan commission recommendation:

-- Michael Coker, 6360 LBJ Frwy.

Councilmember Loza moved to postpone consideration of the application until the February 11, 1998 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0162

Item 59: Public Hearing - Zoning Case Z967-335/10439-SE(CR)

A public hearing was called on zoning case Z967-335/10439-SE(CR), an application for a Specific Use Permit for the Placement of Fill Material on property presently zoned an R-7.5(A) Single Family District located south of Carter Road and west of Palm Oak Drive.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Eugene Thomas, 8431
- Marvin Simpson, 410 Deepwood St.
- Harold Cox, 7415 Ridgewick Dr.
- Cynthia Harrot, 417 Deepwood St.

Appearing in favor of the city plan commission recommendation:

- Ted Frossard, 8326 Lake June Rd.

Councilmember Hicks moved to close the public hearing, accept the recommendation of the city plan commission and deny the application.

Motion seconded by Councilmember Duncan and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0163

Item 60: Public Hearing - Zoning Case Z967-341/10441-NC(LS)

A public hearing was called on zoning case Z967-341/10441-NC(LS, an application for a CR Community Retail District on property presently zoned an MF-1(A) Multifamily District on the north side of Alpha Road, west of Montfort Drive, and an ordinance granting an NO(A) Neighborhood Office District.

(The city plan commission recommended denial of a CR Community Retail District, but approval of an NO(A) Neighborhood Office District.)

Appearing in opposition to the city plan commission recommendation:

- John English, 5301 Hollister
- Dennis Thornton, 5301 Hollister, representing Econo Lube

Appearing in favor of the city plan commission recommendation:

- Mark Humphries, 6436 Barkwood La.
- Charles Price, 9839 Rockworth Dr.

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

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent)

Assigned ORDINANCE NO. 23404.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0164

Item 61: Public Hearing - Zoning Case Z967-345/10443-SW(LS)

A public hearing was called on zoning case Z967-345/10443-SW(LS), an application for a CS Commercial Service District with retention of the Dry Overlay District on property presently zoned a CR-D Community Retail-Dry District at the southeast corner of North Dwight Avenue and West Davis Street.

(The city plan commission recommended denial.)

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

Deputy Mayor Pro Tem Salazar moved to close the public hearing, modify the recommendation of the city plan commission and deny the application without prejudice.

Motion seconded by Councilmember Blumer and unanimously adopted. (Greyson absent; Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0165

Item 62: Public Hearing - Zoning Case Z967-279/5549-NC(RB)

A public hearing was called on zoning case Z967-279/5549-NC(RB), and the City Plan Commission authorized a hearing to determine the proper zoning on property presently zoned as Planned Development District No. 260 for Office, Retail, Multiple Family Uses for Pre-retirement and Retirement Individuals and Religious Uses on property at the northwest corner of North Central Expressway and Park Lane, and an ordinance implementing the proposed amendments .

(The city plan commission recommended approval of amendments to the plans and conditions.)

Appearing in opposition to the city plan commission recommendation:

- Louis Nichols, 3131 Maple Ave., representing Marriott Corp.

Appearing in favor of the city plan commission recommendation:

- Brian Bickeland, 7639 Southwestern Blvd., representing the applicant
- Michael Jung, 4300 Nations Bank Plaza, representing Glen Lakes Homeowners Association

Councilmember Blumer moved to postpone consideration of the application until the January 28, 1998 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0166

Item 63: Public Hearing - Zoning Case Z978-104/10446-C(KC)

A public hearing was called on zoning case Z978-104/10446-C(KC), an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict Uses within Planned Development District 193, the Oak Lawn Special Purpose District, and an application for and an ordinance granting an LC Light Commercial Subdistrict on property presently zoned an MF-3D Multiple Family Subdistrict and an O-2 Office Subdistrict within Planned Development District 193 on property bounded by McKinnon Street, Hunt Street, Harwood Street, and Randall Street.

(The city plan commission recommended approval of a Planned Development Subdistrict, subject to a development plan and conditions, and approval of an LC Light Commercial Subdistrict. This application was considered by the City Council on December 10, 1997 and was taken under advisement until January 14, 1998 with the public hearing open.)

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

Councilmember Loza moved to close the public hearing, accept the recommendation of the city plan commission, with a change in the landscaping provisions to allow the sidewalk with a maximum width of 10 feet to be placed directly adjacent to the street curb and street trees to be placed between the sidewalk and the front building lot and pass the ordinances with those changes.

Motion seconded by Councilmember Mayes and unanimously adopted. (Greyson absent)

Assigned ORDINANCE NO. 23405 and ORDINANCE NO. 23406.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0167

Item 64: Public Hearing - Zoning Case Z967-301/10379-NE(KC)

A public hearing was called on zoning case Z967-301/10379-NE(KC), an application for a P(A) Parking District on property presently zoned an R-7.5(A) Single Family District at the southeast corner of Oates Drive and Marimont Lane.

(The city plan commission recommended denial without prejudice. This application was considered by the City Council on October 8, 1997 and December 10, 1997 and was taken under advisement until January 14, 1998 with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Keith Stewart, 9716 Marimont La.
- R. M. Boyd, 2930 Oates Dr.

Appearing in favor of the city plan commission recommendation:

- Dennis Hopegraver, 9810 La Prada Dr., pastor of the Shiloh Terrace Baptist Church

Councilmember Mayes moved to close the public hearing and modify the recommendation of the city plan commission and deny the application.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0168

Item 65: Public Hearing - Zoning Case Z967-123/10209-C(RB)

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

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

This above application was considered by the City Council on October 8, 1997 and December 10, 1997 and was taken under advisement until January 14, 1998 with the public hearing open.)

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

Councilmember Forsythe Lill moved to postpone consideration of the application until the January 28, 1998 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0169

Item 66: 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 above application was considered by the City Council on October 8, 1997, October 22, 1997, November 12, 1997 and again on December 10, 1997 and was taken under advisement until January 14, 1998 with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Tim Dickey, 3134 Lockmoor La.
- Bessie Reddick, 9416 Overlake Dr.
- Elizabeth Perez, 2929 Bachman Dr.
- John Kebrle, 2829 Bachman Dr.
- Mary Lou Rodriguez, 3118 W. Northwest Hwy.
- Roxan Staff, 2707 W. Northwest Hwy.
- Linda Harris, 5300 Harry Hines Blvd.

Appearing in favor of the city plan commission recommendation:

- William Cothrum, 500 S. Ervay St., representing the Lakeside Club
- James Price, 4620 Windsor Ridge
- Betty Culbreath, 1636 Bar Harbor Dr.

Councilmember Loza moved to close the public hearing, and deny the application without prejudice.

Motion seconded by Councilmember Blumer.

During debate on Councilmember Loza's motion, Councilmember Blumer moved the previous question to end debate.

Mayor Kirk called the vote on Councilmember Blumer's motion to end debate:

Voting Yes: [5] Poss, Loza, Walne, Blumer, Forsythe Lill
Voting No: [7] Kirk, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Finkelman
Absent: [2] Greyson absent; Salazar absent when vote taken
Vacant: [1] Place 3

Mayor Kirk declared the motion failed.

After discussion, Mayor Kirk called the vote on Councilmember Loza's motion to close the public hearing and deny the application without prejudice:

Voting Yes: [7] Poss, Loza, Duncan, Walne, Finkelman, Blumer, Forsythe Lill
Voting No: [5] Kirk, Hicks, Mallory Caraway, Mayes, Lipscomb
Absent: [2] Greyson absent; Salazar absent when vote taken taken
Vacant: [1] Place 3

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0170

Item 67: 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 renomination received for city board and commission appointments for the 1997-1999 board term, updated through January 14, 1998.

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

Mayor Pro Tem Poss moved to appoint all of the nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 1999.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Greyson absent)

Councilmember Lipscomb moved to nominate Eddie C. Hill, Jr. to a full council position on the Dallas-Fort Worth International Airport Board for the term ending August 31, 1999.

Motion seconded by Councilmember Blumer and unanimously adopted. (Greyson absent)

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

98-0179 BOA BOARD OF ADJUSTMENT
98-0180 CED CONSOLIDATED ECONOMIC DEVELOPMENT BOARDS
98-0181 DFW DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0171

Item 68: Authorize approval of the bi-weekly tax action

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0172

Item 69: An ordinance amending Chapters 28, 31, and 50 of the Dallas City Code to define terms; to restrict solicitations near automated teller machines, financial institutions, exterior public pay telephones, and public transportation stops; to prohibit solicitations for rides, contributions, employment, signatures, or business, including the sale or distribution of goods, services, or publications, to occupants of vehicles on public roadways; to provide defenses; to establish who may file a complaint concerning a prohibited solicitation, sale or distribution; and to provide a penalty (Business and Commerce Committee)

Councilmember Walne moved to refer the ordinance back to the Business and Commerce Committee.

Motion seconded by Councilmember Finkelman.

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

Mayor Kirk declared the motion adopted on a divided voice vote. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0173

Item 70: An ordinance abandoning Coolwater Cove and an alley to Shalimar at Preston Trails Homeowner's Association, Inc., the abutting owner, containing approximately 28,845 square feet of land, in exchange for the rededication of not less than 26,598 square feet of the abandoned street right-of-way as a private street, located between Preston Fairways Drive and Campbell Road, and authorizing the quitclaim - Revenue: \$16,808 plus the \$20 ordinance publication fee

Councilmember Finkelman moved to postpone the ordinance until the January 28, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Greyson absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0174

Addendum addition 1: An ordinance amending Division 51A-9.300, "Street Naming and Name Change Process," of Article IX, "Thoroughfares," of CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, to allow the city council to waive the street name change standards on a case-by-case basis (Mayor Pro Tem Poss and Councilmembers Walne, Loza, Hicks, Finkelman, Mayes, Greyson, Blumer, Duncan, Mallory Caraway, and Forsythe Lill via Mayor Kirk)

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Mallory Caraway.

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

Voting Yes:	[13]	Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Blumer, Forsythe Lill
Voting No:	[0]	
Absent:	[1]	Greyson
Vacant:	[1]	Place 3

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23407.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0175

Addendum addition 2: Authorize an extension to the City of Dallas Intown Housing Program to renew the guidelines for a two-year period from January 14, 1998, as provided by Resolution #96-0279 and authorize a two year extension of the sunset date established by Resolution #93-1822 which adopted the Intown Housing Program Policy - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [13] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Blumer, Forsythe Lill
Voting No: [0]
Absent: [1] Greyson
Vacant: [1] Place 3

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0176

Addendum addition 3: Public Hearing - Zoning Case Z967-229/10313-SW(RB)

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

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant. This application was considered by the city council on December 10, 1997 and January 7, 1998 and was taken under advisement until January 14, 1998 with the public hearing open.)

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

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

- (1) that the SOB prohibition be removed, and
- (2) that the deed restriction prohibiting the parking of vehicles exceeding 4,500 pounds in weight for more than four hours in a twenty-four hour period be replaced as requested by the applicant with a restriction providing that no more than 20 parking spaces be allowed on the site for vehicles exceeding 4,500 pounds in weight

and pass the ordinance with those changes.

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

Assigned ORDINANCE NO. 23408.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0177

EXECUTIVE SESSION

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

- Debra Walker, et al v. HUD, et al.
- City of Fort Worth v. City of Dallas, et al., Cause No. 48-171109-97 (lawsuit regarding the Shelby Amendment to Wright Amendment)
- City of Dallas v. Department of Transportation, et al., Civil Action No. 4-97CV-939-A

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

- Discussion and consideration of applicants for appointment to the position of City Secretary

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:

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

- Discussion and consideration of applicants for appointment to the position of City Secretary

No other matters were discussed during the executive session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 14, 1998

98-0178

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, JANUARY 14, 1998

EXHIBIT C