

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 11, 1998

98-0460

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

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

ABSENT: [1] Duncan

VACANT: [1] Place 3

The meeting was called to order at 9:22 a.m.

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

The invocation was given by the Rev. David Turner, Lakewood United Methodist Church.

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 3:20 p.m.

\_\_\_\_\_  
Mayor  
ATTEST:

\_\_\_\_\_  
Temporary Acting 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, FEBRUARY 11, 1998

EXHIBIT A



MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 11, 1998

EXHIBIT B



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0461

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: Neighborhood issues

SPEAKER: Kathryn Martin, 3400 Noble Ave.  
SUBJECT: Dallas police/Terrorism

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Chief of Police/K.K.K./D.I.S.D./F.B.I.

SPEAKER: Jewel Floyd, 3815 Floyd St.  
SUBJECT: Fraud/City Council

SPEAKER: Brooks Fitch, 5327 Gatesworth Ln.  
SUBJECT: Freedman Memorial



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0462

Item 1: Approval of Minutes

The temporary acting city secretary stated that the minutes of the voting agenda meeting of January 28, 1998, were not yet complete and would be distributed to the city council for approval at a future meeting.



# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0463

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-38, was presented for consideration.

The temporary acting city secretary announced that her office had received written notice from Deputy Mayor Pro Tem Salazar that consent agenda items 36 had been deferred until the next voting agenda meeting of the city council and notice that item had been deferred had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The temporary acting city secretary announced that notice had been given in the addendum that consent agenda item 9 had been deleted from the agenda and the addendum to the agenda had been posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code.

Councilmember Forsythe Lill requested that consent agenda items 3 and 5 be removed from the consent agenda to be considered as an individual items Mayor Kirk stated that consent agenda items 3 and 5 would be considered as an individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Mayes moved to approve all items on the consent agenda with the exception of items 3, 5, 9, 33, 34 and 36 which would be considered later in the meeting.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0464

Item 2: Authorize a professional services contract with Conley Design Group, Inc. in the amount of \$270,000 for design development services for Dallas City Hall plaza, fountain and parking garage and an increase in appropriations to the project by \$65,000, from \$205,000 to \$270,000 in the Capital Construction Fund - \$270,000 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0465

Item 3: Authorize professional services contracts with 18 consulting engineering firms for the design of 10 alley petitions, 11 street petitions, and 4 thoroughfare projects - \$2,090,301 - Financing: 1995 Bond Funds (\$1,858,470), Water Utilities Capital Construction Funds (\$65,463), Water Utilities Bond Funds (\$166,368)

Councilmember Forsythe Lill moved to approve agenda item 3 with the exception of the Haskell Blvd-Lemmon Avenue petitions, which would be deferred until the February 25, 1998 voting agenda meeting of the city council.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0466

Item 4: Authorize a professional services contract with F & S Partners Incorporated for a program study of the Dallas Convention Center to set the scope of work required to produce construction documents for various renovation and upgrade needs of the facilities - \$80,308 - Financing: 1992 Convention Center Expansion Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0467

Item 5: Authorize a contract for the construction of a new golf driving range, teaching facility and parking area at Samuell-Grand Park - R. J. Miller & Associates, Inc., lowest responsible bidder of five - \$1,030,017 - Financing: 1985 Bond Funds (\$50,000) and Golf Improvement Funds (\$980,017)

Councilmember Finkleman moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmember Forsythe Lill voting "No." (Duncan absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0468

Item 6: Authorize a contract for the construction of Phase III Renovation at the Martin Luther King, Jr. Community Center Core Services Building - Village Interiors, Inc., only bidder - \$425,000 - Financing: 1993-94 Community Development Grant Funds (\$11,140), 1994-95 Community Development Grant Funds (\$73,459), 1995-96 Community Development Grant Funds (\$285,000), 1995 Bond Funds (\$55,401)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0469

Item 7: Authorize a contract for replacement of the cooling tower at Martin Luther King, Jr. Community Center - Garland Heating & Air Conditioning Company, Inc., lowest responsible bidder of three - \$52,640 - Financing: Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0470

Item 8: Authorize a contract for the construction of alley paving improvements for Alley Group 97-02 - I. Perez Construction, Inc., lowest responsible bidder of four - \$157,483 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0471

Item 9: Authorize a contract for the construction of alley paving improvements for Alley Group 95-2000 - V. A. Construction, Inc., lowest responsible bidder of four - \$154,060 - Financing: 1995 Bond Funds

Deleted on the addendum to the agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0472

Item 10: Authorize a contract for the construction of alley paving improvements for Alley Group 95-2002 (list attached) - New Star Grading and Paving Construction, lowest responsible bidder of four - \$93,831 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0473

Item 11: Authorize an increase in the contract with Southcrest Corporation for construction of the portico for Phase II expansion and interior renovation at Jaycee/Zaragoza Recreation Center - \$35,862, from \$689,777 to \$725,639 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0474

Item 12: Authorize a decrease 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 - (\$251,014), from \$4,477,100 to \$4,226,086 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0475

Item 13: An ordinance approving certain adjustments to benefit assessments in response to property owner's requests for additional or less concrete work on the public right-of-way for Street Group 423 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23429.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0476

Item 14: Authorize an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation (TxDOT) for design and construction of the Five Mile Creek Bikeway from Interstate 35E to Coombs Creek Drive - \$57,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0477

Item 15: Authorize an Interlocal Agreement between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of various bike route signage - \$26,000 - Financing: 1995 Bond Funds (\$14,000 to be reimbursed from TxDOT)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0478

Item 16: Authorize calling of a benefit assessment hearing to be held on March 25, 1998, for street paving, storm drainage, water and wastewater main improvements on Ohio Avenue from Ramsey Avenue to Alabama Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0479

Item 17: Authorize approval of a recommended plan for the proposed alignment of Leaning Oaks Street from Simpson Stuart Road to Pacesetter Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0480

Item 18: 56th Street from Lancaster Road to 2869 56th Street

- \* Authorize street paving, storm drainage, water and wastewater main improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0481

Item 19: 56th Street from Lancaster Road to 2869 56th Street

- \* Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0482

Item 20: Alley South of and parallel to Pleasant Hills Drive from Pleasant Meadows Lane to  
Cheyenne Road

- \* Authorize alley paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0483

Item 21: Alley South of and parallel to Pleasant Hills Drive from Pleasant meadows lane to  
Cheyenne Road

- \* Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0484

Item 22: Authorize a First Amendment to the Lease of Land and Facilities with TWG Properties, Ltd., Lessee, which will add approximately 2,975 square feet of new land to the base lease, delete approximately 2,975 square feet of land from the base lease and permit the Lessee to encumber the premises with a leasehold mortgage at Love Field Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0485

Item 23: Authorize execution of an Affidavit of Disclaimer to Albert Meyers Trust M and Doris Bradley Meyers for 16 square feet of land located near South Central Expressway and Richardson Street - Financing: No cost or revenue consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0486

Item 24: Authorize the sale by quitclaim deed of 36 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders - Revenue: \$138,639

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0487

Item 25: An ordinance granting a private license to Parkland Memorial Hospital for the use of approximately 62 square feet of land to install and maintain a sign in a portion of Harry Hines Boulevard right-of-way near Motor Street - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23430.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0488

Item 26: An ordinance abandoning a portion of Coombs Street to Bennett I. Miller & Associates, Inc., the abutting owner, containing approximately 6,963 square feet of land, located near the intersection of Coombs Street and Ervay Street, and authorizing the quitclaim - Revenue: \$14,796 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23431.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0489

Item 27: An ordinance granting a revocable license to Admiral Realty, Inc. for the use of approximately 64 square feet of land to maintain an existing overhead sign and awning on a portion of Houston Street right-of-way near its intersection with Jackson Street - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23432.





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0490

Item 28: An ordinance amending Ordinance No. 22319 to extend the time required to dedicate needed street right-of-way located near the intersection of Oak Lawn Avenue and Maple Avenue - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23433.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0491

Item 29: Authorize a twenty-four month price agreement for office supplies with the lowest responsible bidder of six - Staples Business Advantage - Not to exceed \$240,000 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0492

Item 30: Authorize a thirty-six month price agreement for police rainwear with the lowest responsible bidder of three - Outdoor Outfits Limited - Not to exceed \$349,997 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0493

Item 31: Authorize a thirty-six month price agreement for propane with the lowest responsible bidder of four - Mitchell Butane Gas Sales, Inc. - Not to exceed \$241,132 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0494

Item 32: Authorize a twenty-four month price agreement for activated sludge blower maintenance at the Central Wastewater Treatment Plant with the only bidder - Houston Service Industries, Inc. - Not to exceed \$500,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0495

Item 33: Authorize a twenty-four month price agreement for grounds maintenance services at Central Wastewater Treatment Plant and Cadiz Pump Station with the lowest responsible bidder of seven - VMC Landscape Services, Inc. - Not to exceed \$230,800 - Financing: Water Utilities Current Funds

The following individual addressed the city council regarding the item:

-- Dewain Jackson, 2508 Northcrest, Plano, representing GA Services

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss.

Councilmember Hicks moved to reject all bids.

Motion seconded by Councilmember Lipscomb.

At the conclusion of debate, Mayor Kirk called the vote on Councilmember Hicks' motion:

Voting Yes: [6] Salazar, Loza, Hicks, Lipscomb, Greyson, Forsythe Lill  
Voting No: [7] Kirk, Poss, Mallory Caraway, Mayes, Walne, Finkleman, Blumer  
Absent: [1]Duncan  
Vacant: [1]Place 3

Mayor Kirk declared the motion lost.

After discussion, Mayor Kirk then called the vote on Councilmember Walne's motion to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL



February 11, 1998

98-0496

Item 34: Authorize the rejection of the only bid received for a contract to conduct a Fees for Services, Cost/Revenue Study, and authorize readvertisement for new bids - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

- Mark Epstein, 7642 La Sobrina Dr.
- John Dodd, 6421 Forest Knoll Trl.

Councilmember Greyson moved to deny approval and defer until the February 25, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Lipscomb.

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

Voting Yes: [12] Kirk, Salazar, Loza, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkleman, Greyson, Blumer, Forsythe Lill  
Voting No: [1] Poss  
Absent: [1] Duncan  
Vacant: [1] Place 3

Mayor Kirk declared the motion adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0497

Item 35: Authorize settlement of a claim styled Progressive Insurance Company as Subrogee for Laura Castille v. City of Dallas for property damage, Claim No.: 95-101001742-001 - Financing: Current Funds

Approved as part of the consent agenda.





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0498

Item 36: Authorize Supplemental Agreement No. 2 to the original audit contract adding the firm Hopkins & Associates and deleting the firm MIR-Fox & Rodriguez, PC as joint venture firms participating with Arthur Andersen LLP and Owens & Thurman, PC for the audit of the City's financial operations and grant activities for the fiscal year ending September 30, 1997 - Financing : No cost consideration to the City

The temporary acting city secretary announced that Deputy Mayor Pro Tem Salazar had deferred consideration of consent agenda item 36 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0499

Item 37: Authorize 1) a real property tax abatement agreement with Focus Service Group, Inc. for the purpose of granting a ten-year abatement of taxes on 90% of the added value to the real property in relation to the development of a speculative warehousing and distribution facility within an area of the City of Dallas Enterprise Zone Two at 5800-5858 West Kiest Boulevard, Dallas, Texas; 2) a 100% development fee rebate - Not to exceed \$25,000 - Revenue: First year tax revenue estimated at \$3,450. Ten-year tax revenue estimated at \$34,502. (Estimated revenue foregone for ten-year real property abatement \$310,520) - Financing: Public/Private Partnership Fund

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0500

Item 38: Authorize renewal of Interlocal Agreements with Dallas County for computer services and equipment maintenance for the Police Department's Legal Services Filing Unit for the period October 1, 1997 through September 30, 1998 (\$2,584) and Detention Services Section for the period October 6, 1997 through October 5, 1998 (\$13,188), execution of an Interlocal Agreement for computer services and equipment maintenance for the Narcotics Division for the period February 1, 1998 through January 31, 1999 (\$1,855), and an increase in the previous Interlocal Agreement for underestimated charges incurred in FY96-97 for Detention Services Section (\$6,855, from \$4,393 to \$11,248) - \$24,482 - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0501

Item 39: Public Hearing

A public hearing was called to receive citizen comments on 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 January 14, 1998 and was taken under advisement until February 11, 1998 with the public hearing open.)

No one addressed the city council regarding the amendment.

Councilmember Greyson moved to postpone consideration of the amendment until the February 25, 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. (Duncan absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0502

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 40-43 was presented.

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

Agenda item 40: Zoning Case Z978-129/988-NE(KC)

Agenda item 41: Zoning Case Z978-132/10473-NE(KC)

~~Agenda item 42: Zoning Case Z978-139/10489-NC(RB)~~ [Considered individually]

Agenda item 43: Zoning Case Z978-140/10485-NC(CR)

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

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

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0503

Item 40: Zoning Case Z978-129/988-NE(KC)

Zoning Case Z978-129/988-NE(KC), an application for and an ordinance granting an amendment to Planned Development District No. 65 to create a Subarea to allow a child-care facility by right in the Tract I portion of the Planned Development District, and consideration of a development plan for the Subarea on property on the southeast side of Holly Hill Drive, southwest of Phoenix Drive .

(The city plan commission recommended approval.)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23434.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0504

Item 41: Zoning Case Z978-132/10473-NE(KC)

Zoning Case Z978-132/10473-NE(KC), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned an R-7.5(A) Single Family District located east of Ferguson Road and south of Materhorn Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23435.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0505

Item 42: Zoning Case Z978-139/10489-NC(RB)

The consent zoning docket, consisting of agenda items 40-32 was presented.

Councilmember Greyson requested that consent zoning docket item 42 removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 42 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Greyson's request.

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

A public hearing was called on zoning case Z978-139/10489-NC(RB), an application for and an ordinance granting a Planned Development District for a Public School (Spring Valley Elementary) and R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District bounded by Meandering Way, Far Hills Lane, Knollwood Drive, and Spring Grove Avenue.

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

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

Councilmember Greyson moved to close the public hearing, accept the recommendation of the city plan commission as amended, with the following conditions:

- (1) All outdoor lighting must be operational and maintain in accordance with the Dallas Development Code as amended and must be directed away from the adjoining properties.
- (2) We accept the alternater landscape plan submitted by the applicant, that moves 3 trees to the east, so that to remove the trees from the baseball field area.

and pass the ordinance with those changes.

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

Assigned ORDINANCE NO. 23436.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL



OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



February 11, 1998

98-0506

Item 43: Zoning Case Z978-140/10485-NC(CR)

Zoning Case Z978-140/10485-NC(CR), an application for and an ordinance granting a Planned Development District for a Public School (Parkhill Junior High) and R-10(A) Single Family District Uses on property presently zoned an R-10(A) Single Family District at the southwest corner of Meadowcreek Drive and Brentfield Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23437.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0507

Item 44: Street Name Change Case - Individuals

A street name change case for an application for and an ordinance waiving certain street name change standards and changing the name of Floyd Road from Forest Lane to Sherman Street to "TI Boulevard".

(The city plan commission recommended approval.)

No one addressed the city council regarding the Street Name Change.

Councilmember Walne moved to postpone consideration of the application until the March 25, 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. (Duncan absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0508

Item 45: 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 Multifamily-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. This application was considered by the City Council on January 14, 1998 and was taken under advisement until February 11, 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 postpone consideration of the application until the February 25, 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. (Duncan absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0509

Item 46: Public Hearing - Zoning Case Z978-111/10449-SE(RB)

A public hearing was called to receive citizen comments on an application for and an ordinance granting a Planned Development District for CS Commercial Service District Uses on property presently zoned a CS Commercial Service District at the north and west corners of Fitzhugh Avenue and East Grand Avenue.

(The city plan commission recommended approval, subject to a development plan, landscape plan and conditions. This application was considered by the City Council on January 28, 1998 and was taken under advisement until February 11, 1998 with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

-- Jewel Floyd, 3815 Myrtle St.

Appearing in favor of the city plan commission recommendation:

-- Kirk Williams, 5400 Renaissance Tower, representing the applicant

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

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

Assigned ORDINANCE NO. 23438.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0510

Item 47: Public Hearing - Zoning Case Z978-117/10465-NW(CR)

A public hearing was called on zoning case Z978-117/10465-NW(CR), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses within Planned Development District 193, the Oak Lawn Special Purpose District, on property presently zoned an MF-2 Multiple Family Subdistrict at the east corner of Cedar Springs Road and Kings Road.

(The city plan commission recommended approval, subject to a development plan and conditions. This application was considered by the City Council on January 28, 1998 and was taken under advisement until February 11, 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 close the public hearing, accept the recommendation of the city plan commission, and pass the ordinance.

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

Assigned ORDINANCE NO. 23439.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0511

Item 48: 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. application was considered by the City Council on October 8, 1997, December 10, 1997, January 14, 1998 and January 28, 1998 and was taken under advisement until February 11, 1998 with the public hearing open.)

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

Appearing in favor of the city plan commission recommendation:

-- James Pratt, 3520 Routh St.

Councilmember Forsythe Lill moved to postpone consideration of the application until the February 25, 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. (Duncan absent)



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0512

Item 49: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The temporary acting city secretary distributed a report showing all nominations and renominations received for city board and commission appointments for the 1997-1999 board term, updated through February 11, 1998.

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

Councilmember Lipscomb moved to appoint 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 Councilmember Mayes and unanimously adopted. (Duncan absent)

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

98-0527 CDC COMMUNITY DEVELOPMENT COMMISSION



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0513

Item 50: Authorize approval of the bi-weekly tax action

Councilmember Mayes moved to approve the item.

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





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0515

Addendum addition 1: Adoption of Principles Agreement from which Interlocal Agreements between the City of Dallas and Heath, Rockwall, Rowlett, and Garland will be developed to establish shoreline land use and enforcement responsibilities - Financing: No cost consideration to the City

Councilmember Mayes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0516

Addendum addition 2: An ordinance abandoning a utility easement to Hillcrest Foundation, the abutting owner, containing approximately 1,400 square feet of land, located near the intersection of Northwest Highway and Boedeker Street, and providing for the dedication of approximately 750 square feet of land needed for a water easement - Revenue: \$650 plus the \$20 ordinance publication fee

Councilmember Finkleman moved to pass the ordinance.

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

Assigned ORDINANCE NO. 23440.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0517

Addendum addition 3: An ordinance granting a private license to IT/Fairmount Partners L.P. for the use of approximately 1,132 square feet of land, to construct and maintain an elevated sidewalk with steps, canopy, awnings, and an aerial sign in portions of Market Street and Pacific Avenue rights-of-way- Revenue: \$5,199 annually plus the \$20 ordinance publication fee

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

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk abstaining; Duncan absent)

Assigned ORDINANCE NO. 23441.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0518

Addendum addition 4: Authorize the City of Dallas to enter into an Interlocal Agreement with the Dallas/Fort Worth International Airport Board and the Cities of Euless and Fort Worth for a revenue sharing arrangement wherein Euless agrees to share certain revenue amounts with Dallas and Fort Worth in exchange for the encouragement of further development and growth of the airport property that falls within the geographical boundaries of the City of Euless - Estimated First Year Revenue: \$23,082

Councilmember Finkleman moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0519  
98-0520  
98-0521

Addendum addition 5: Freedman's Memorial Cemetery

- \* Authorize a development agreement and promissory note with Oak Creek Partners, Ltd. (Oak Creek) for the funding of public improvements consisting of the arch and walkway to commemorate the Freedman's memorial Cemetery, located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District), and the establishment of appropriations in the amount of \$50,000 - Financing: a principal in an amount not to exceed \$50,000 to be advanced by a private developer and reimbursed with interest from the Cityplace Area TIF District Tax Increment Fund and/or Tax Increment Bonds. Accrued interest on private funds to be repaid solely from the Cityplace Tax Increment Financing District Fund **[98-0519]**

Addendum addition 6: \* Authorize a resolution declaring the intent of the City of Dallas to utilize tax increment proceeds to reimburse Oak Creek Partners, Ltd. for certain expenditures made under a development agreement between Oak Creek Partners, Ltd., (Oak Creek) and the City of Dallas, on behalf of the Cityplace Area TIF District, for the purpose of public improvements consisting of an arch and walkway to commemorate the Freedman's Memorial Cemetery located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) - Financing: a principal in an amount not to exceed \$50,000 to be advanced by a private developer and reimbursed with interest from the Cityplace Area TIF District Tax Increment Fund and/or Tax Increment Bonds. Accrued interest on private funds to be repaid solely from the Cityplace District Tax Increment Fund **[98-0520]**

Addendum addition 7: Authorize a contract for the construction of an arched entry, wall and lighting at Freedman's Memorial Cemetery, Phase I and authorize an increase in appropriations in the Neighborhood Park and Recreation Facilities budget by \$54,000 from \$150,000 to \$204,000 - Henneberger Construction, Inc., lowest responsible bidder of four - \$222,000 - Financing: 1995 Bond Funds (\$172,000) and Cityplace Area TIF District Tax Increment Funds (\$50,000) **[98-0521]**

Councilmembers Mayes and Forsythe Lill moved to approve the resolution.

Motion seconded by Councilmembers Hicks and Lipscomb and unanimously adopted. (Duncan absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL



February 11, 1998

98-0522

Addendum addition 8: A resolution regarding for the appointment and duties of an acting city secretary pending the selection and appointment of a city secretary on a permanent basis - Financing: No cost consideration to the City

Councilmember Lipscomb moved to approve the resolution appointing Shirley Acy as acting city secretary.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0523

Addendum addition 9: Authorize a three-year economic development agreement with the Cotton Bowl Athletic Association to hold the Cotton Bowl Classic in the Cotton Bowl Stadium at Fair Park - \$700,000 Annually - Financing: Current Funds (subject to annual appropriation)

Councilmember Mayes moved to approve the item.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0524

Addendum addition 10: A resolution requesting that the Office of Public Interest Counsel of the Texas Natural Resource Conservation Commission ensure that the Clean Air Act attainment status of the Dallas-Fort Worth metropolitan area be considered in the hearing on TXI Operation, L.P.'s pending permit application (via Mayor Pro Tem Poss)

The following individuals addressed the city council regarding this resolution:

- Molly Seay, 6139 Stichter Ave.
- Rita Beving, 10588 Stone Canyon Rd.
- Mayor Pro Tem Judy Richards, City of Duncanville, 407 N. Horne
- Virginia Kilgore, 710 Ida Vista Ct., Duncanville
- Ann Hubner, 807 Middle Run Dr., Duncanville
- Reece R. Henderson, 3333 Hagler Rd. Cleburne
- Becky Bornhorst, 1405 Indian Creek, Desoto

Councilmember Finkelman moved to approve the resolution with the following changes to read:

**WHEREAS, any effect the TXI plant has on the air quality in the Dallas-Fort Worth region can have an effect on regulatory requirements imposed on the City of Dallas; to replace the wording Tarrant County in the original resolution.**

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





OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0525

Addendum addition 11: A resolution evidencing the City's intent to grant real property tax abatement, development fee rebates, infrastructure cost participation and right-of-way abandonment fee rebates to Albertson's, Inc., conditional upon the acquisition of two properties for the construction of two new Albertson's stores to be located in southern Dallas - Financing: No cost consideration to the City

Councilmember Mayes moved to approve the resolution.

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



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0514

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

- Discussion and consideration of the appointment and duties of an acting 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 (Sec. 551.074 T.O.M.A.)

- Discussion and consideration of the appointment and duties of an acting City Secretary

No other matters were discussed during the executive session.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 11, 1998

98-0526

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, FEBRUARY 11, 1998

EXHIBIT C

