

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 8, 1998

98-1080

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

PRESENT: [14] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill  
ABSENT: [0]  
VACANT: [1]Place 3

The meeting was called to order at 9:17 a.m.

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

The invocation was given by the former Mayor Pro Tem John Evans.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 2:57 p.m.

Mayor

ATTEST:

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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, APRIL 8, 1998

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 8, 1998

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1081

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: Summer Shelby, 7610 Skillman St.  
SUBJECT: Artserv Inc. dba Arttix

SPEAKER: Joe Martin, 3105 Gladiolus Ln.  
SUBJECT: Eddie Hill story

SPEAKER: Sharon Coston, 4200 Shorecrest Dr.  
SUBJECT: Stevens' Park Ladies Golf Invitational Tournament

SPEAKER: Sue Johnson, 2255 Spring Hill St.  
REPRESENTING: Casa Linda Forest Neighborhood  
SUBJECT: Appreciation to the Dallas Police Department

OPEN MICROPHONE - END OF MEETING:

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1082

Item 1: Approval of Minutes

The acting city secretary stated that the minutes of the voting agenda meeting of March 25, 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

April 8, 1998

98-1083

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-50, was presented for consideration.

Councilmember Greyson requested that consent agenda item 14 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Deputy Mayor Pro Tem Salazar moved to approve all items on the consent agenda with the exception of consent agenda item 14 which would be considered later in the meeting.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1084

Item 2: Authorize a contract for replacement of the existing pedestrian bridge at Twin Falls Park - JDC Construction, lowest responsible bidder of five - \$78,200 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1085

Item 3: Authorize a contract for roof replacement at the Mattie Nash - Myrtle Davis Recreation Center - Castro Roofing of Texas, Inc., lowest responsible bidder of eleven - \$80,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1086

Item 4: Authorize a contract for the reconstruction of street improvements on Delrose Drive from Wabash Circle to Westshore Drive - XIT Paving and Construction, Inc., lowest responsible bidder of six - \$353,885 - Financing: 1995 Bond Funds (\$269,395), Water Utilities Bond Funds (\$27,130), Water Utilities Capital Construction Funds (\$57,360)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1087

Item 5: Authorize a contract for the reconstruction of street improvements on Jerome Street from Henderson Avenue to Beeman Avenue - J. C. Johnson Construction Company, lowest responsible bidder of five - \$132,353 - Financing: 1995 Bond Funds (\$101,878), Water Utilities Bond Funds (\$29,500), Water Utilities Capital Construction Funds (\$975)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1088

Item 6: Authorize a contract for the construction of erosion control improvements on Ash Creek at Buckner Boulevard - Craig Olden, Inc., lowest responsible bidder of two - \$163,618 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1089

Item 7: Authorize a contract for the construction of storm drainage improvements on Lanark Avenue at Bonnie View Road, Velasco Avenue at Pearson Drive, and 2134 Elmwood Boulevard - Camino Construction, Inc., lowest responsible bidder of two - \$190,143 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1090

Item 8: Authorize a contract for the construction of erosion control improvements at 2936, 2940, and 2944 King Cole Drive, and 1347 Cedar Hill Avenue - Craig Olden, Inc., lowest responsible bidder of two - \$226,677 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1091

Item 9: Authorize (1) a contract for the construction of paving, drainage and landscape improvements for North Dallas High School parking facility located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) with Allied Builders, Inc., lowest responsible bidder of seven in the amount of \$251,556, (2) assignment of the construction contract to Cityplace Company for construction administration (3) the amount of \$43,944 for design, construction management and testing services, and (4) the establishment of appropriations - \$295,500 - Financing: Private Funds (Advance from Cityplace Company to the Cityplace TIF Tax Increment District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1092

Item 10: Authorize (1) a contract for the construction of Phase IV-B street improvements for State, Ellis, and Woodside Streets located in Tax Increment Reinvestment Financing Zone Number One, City of Dallas, Texas (State-Thomas TIF District) with Ed Bell Construction Company, lowest responsible bidder of four in the amount of \$1,339,331, (2) assignment of the construction contract to Post Properties, Inc. for construction administration and (3) the amount of \$239,000 for design, construction administration and testing services - \$1,578,331 - Financing: Private Funds (Advance from Post Properties, Inc. to the State-Thomas District Tax District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1093

Item 11: Authorize Supplemental Agreement No. 1 to the contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc., to provide design development, construction documents, bidding and construction administration for the restoration of the Automobile and Centennial Buildings at Fair Park - \$462,538, from \$278,683 to \$741,221 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1094

Item 12: Authorize an increase in the contract with Ramex Construction Co., Inc. for additional excavating and dewatering on a portion of wastewater main in Harry Hines Boulevard for the East Bank Interceptor Phase IIA and for the removal of an obstruction near Donosky Drive - \$143,815, from \$2,642,786 to \$2,786,601 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1095

- Item 13: Authorize Supplemental Agreement No. 1 to the Interlocal Agreement between the City of Dallas, Dallas County, and the Texas Department of Transportation for the design and construction of paving improvements to the Chalk Hill Road and Cockrell Hill Road interchange with Interstate 30, and the deletion of Cockrell Hill Road from Interstate 30 to Davis Street and authorize the acceptance of right-of-way donations from Texas Industries, Inc., and Petula Associates, LTD for the said interchange and authorize conveyance of the right-of-way acquired to the State of Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1096

Item 14: Authorize an Interlocal Agreement between the City of Dallas and the North Texas Turnpike Authority to (1) allow access to construct a screening wall along completed sections of the Dallas North Tollway that encroach on City right-of-way from approximately 50 feet north of University Boulevard to a point approximately 1,400 feet south of Lovers Lane and (2) accept and implement agreed upon provisions for City participation in maintenance of the screening wall due to graffiti and structural damage on the city side by local traffic - (Estimated \$2,750) - Financing: Current Funds

At the time the consent agenda was presented for discussion, Councilmember Greyson requested that consent agenda item 14 be considered as an individual item. Mayor Kirk stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting agenda item 14 was brought up for consideration.

Councilmember Blumer moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1097

Item 15: Authorize payment to TU Electric for utility relocation to accommodate improvements on North Central Expressway from Monticello Avenue to Southwestern Boulevard - \$49,955 - Financing: 1989 Bond Funds (\$37,466 to be reimbursed from the Texas Department of Transportation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1098

Item 16: Authorize the City Manager to execute a Lease Agreement for approximately 1,688 square feet of terminal space between the City of Dallas and Paul Torres, Sr. at Redbird Airport - Revenue: \$8,482 estimated annual rental income

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1099

Item 17: Authorize the private sale by quitclaim deed of a vacant lot at 3615 Holmes Street, near the intersection of Holmes Street and Cooper Street, acquired by the taxing authorities from a Sheriff's Sale to St. Philip's Neighborhood Development Corporation - Revenue: \$5,830

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1100

Item 18: Authorize the quitclaim of 43 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders - Revenue: \$285,194

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1101

Item 19: An ordinance granting a private license to Commercial Metals Company for the use of approximately 8,319 square feet of land to install and maintain landscaping and irrigation systems in a portion of Westmoreland Road near Interstate Highway 30 - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23479.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1102

Item 20: An ordinance granting a revocable license to Marie Furtula Watts for the use of approximately 51 square feet of land to maintain an existing aerial sign in a portion of Elm Street right-of-way near Walton Street - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23480.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1103

Item 21: An ordinance abandoning a portion of a fire lane easement and a portion of a water and sanitary sewer easement to M-N Midpark, Ltd., the abutting owner, containing approximately 28,080 square feet of land, located near the intersection of Goldmark Drive and Midpark Road, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23481.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1104

Item 22: An ordinance abandoning a subsurface portion of North Olive Street to Seven Seventeen HB Dallas Corporation, the abutting owner, containing approximately 728 square feet of land, located near the intersection of Bryan Street and North Olive Street, and authorizing the quitclaim - Revenue: \$13,541 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23482.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1105

Item 23: An ordinance abandoning an alley to the Trustees of Southern Crest Missionary Baptist Church, also known as Southern Crest Baptist Church, Southern Crest Missionary Baptist Church, Jose Luz Espinoza and Ramona Espinoza, and Lora Digiglio and Charles Digiglio III as Co-Independent Executors of the Estate of Charlie Digiglio, deceased, the abutting owners, containing approximately 5,999 square feet of land, located near the intersection of Locust Avenue and Dalton Drive, authorizing the quitclaim and providing for the dedication of approximately 3,350 square feet of land needed for street right-of-way - Revenue: \$1,351 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23483.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1106

Item 24: Authorize settlement of a lawsuit, styled Lim Walton v. City of Dallas, Cause No. 96-2596 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1107

Item 25: Authorize settlement of a lawsuit, styled Dora Marroquin and Fidela Medina v. City of Dallas, Cause No. cc-97-01435-b - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1108

Item 26: Authorize settlement of a lawsuit, styled Kristi Lopez, George Lopez and Gloria Lopez v, City of Dallas, Cause No. 97-05279-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1109

Item 27: Authorize settlement of a lawsuit, styled Patricia Guerra v. Andrea Dudley, Individually, and City of Dallas, Cause No. 96-05391-B - Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1110

Item 28: Authorize settlement of a lawsuit, styled Roscoe Pierson v. City of Dallas, Cause No. 96-03597 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1111

Item 29: Authorize settlement of a lawsuit, styled Unthyon Offord and Lemetrice Offord v. Clifford Cooper and City of Dallas, Cause No. cc-97-07763-C – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1112

Item 30: Authorize settlement of a lawsuit, styled Wayne and Joanne Parsons v. City of Dallas, et al., Cause No. 3:96-CV-1482-R - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1113

Item 31: Authorize settlement of a verdict in a lawsuit, styled Christina Swann v. City of Dallas, et al., Cause No. 3-95-CV-0033-BC - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1114

Item 32: An ordinance awarding a franchise for 10 years to CSW/ICG ChoiceCom, LP to provide telecommunications services - Estimated Revenue: \$7,380,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23484.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1115

Item 33: Authorize economic development grant agreements to nonprofit agencies as follows: The Science Place for partial salaries of six student interns in an amount not to exceed \$29,393; Jeffries Street Learning Center for partial salaries of tutors and educational supplies in an amount not to exceed \$25,000; Holmes Street Foundation to fund partial salary costs for a program manager in an amount not to exceed \$25,757; South Dallas Health Access to fund partial salary costs for two HIV counselors and lab fees for HIV testing in an amount not to exceed \$35,000; Generations to Come Learning Center for partial salary costs for tutors and office supplies in an amount not to exceed \$30,100; and Innerscity Community Development Corporation to fund partial construction costs of the Spring Plaza Project located in the 4900 block of Spring Avenue in an amount not to exceed \$35,000 - \$180,250 - Financing: South Dallas/Fair Park Trust Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1116

Item 34: State-Thomas TIF District

- \* A resolution accepting the FY 1996-1997 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1117

Item 35: State-Thomas TIF District

- \* A resolution approving amendments to the By-Laws for Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) governing the State-Thomas TIF District Board of Directors: (1) to allow the State-Thomas TIF District Board of Directors to appoint standing committee(s) and Ad Hoc Committee(s), (2) to recognize the Design Review Committee as a standing committee and specify its composition, (3) to expand the number of individuals appointed to the executive committee, and (4) to change the State-Thomas TIF District Board of Directors term date to correspond with citywide Boards and Commissions term dates - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1118

Item 36: Cityplace TIF District

- \* A resolution accepting the FY 1996-1997 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) submitted by the Cityplace TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1119

Item 37: Oak Cliff Gateway TIF District

- \* A resolution accepting the FY 1996-1997 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) submitted by Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1120

Item 38: Oak Cliff Gateway TIF District

- \* A resolution approving the By-Laws for Tax Increment Financing Reinvestment Zone Number Three City of Dallas, Texas (Oak Cliff Gateway TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1121

Item 39: Cedars TIF District

- \* A resolution accepting the FY 1996-1997 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1122

Item 40: Cedars TIF District

- \* A resolution approving the By-Laws for Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1123

Item 41: City Center TIF District

- \* A resolution accepting the FY 1996-1997 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1124

Item 42: City Center TIF District

- \* A resolution approving the By-Laws for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1125

Item 43: Authorize a public hearing to be held on April 22, 1998, to receive citizen comments concerning the adoption of an ordinance amending the boundaries of Enterprise Zone Three to incorporate Census Tract 83.00 and authorizing the filing of a completed application for designation of the amended Enterprise Zone Three with the Texas Department of Economic Development (formerly Texas Department of Commerce) - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1126

Item 44: Authorize an amendment to the annual taxicab operating authority of Choice Cab, Inc. to increase its authorized fleet by 100 vehicles from 320 to 420 - Revenue: \$25,000 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1127

Item 45: Rental Housing Preservation Program

- \* Rescind a Rental Housing Preservation Program loan in the amount of \$1,372,517 to Manuel C. Trevino dba Trevino Companies for acquisition/rehabilitation of the 207-unit Lake Towne Apartments located at 1111 Beachview of which 39 units were to be deed restricted for the Walker Consent Decree - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1128

Item 46: Rental Housing Preservation Program

- \* Authorize execution of a Rental Housing Preservation Program loan to Alternative Building Concepts Group for acquisition of the 276-unit Fair Oaks Creek Apartments located at 8849 Fair Oaks Crossing in census tract 78.11, of which fifty-five (55) units will be deed restricted for the Walker Consent Decree - \$1,925,000 - Financing: 1995-96 Community Development Grant Funds (\$1,372,517) and 1997-98 Community Development Grant Funds (\$552,483)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1129

Item 47: Rental Housing Preservation Program

- \* Authorize execution of a Modification Agreement to increase the loan amount of the Rental Housing Preservation Program loan to TP - Town Plaza I, L.P. for the rehabilitation of the Town Plaza Apartments (188 units) located at 2755 East Ledbetter and increase the number of units that are deed restricted for the Walker Consent Decree from 37 to 47 - \$300,000, from \$870,000 to \$1,170,000 - Financing: 1997-98 HOME Investment Partnership Program Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1130

Item 48: Rental Housing Preservation Program

- \* Authorize execution of a Modification Agreement to increase the loan amount of the Rental Housing Preservation Program loan to Dallas Robin Oaks, L.P. for the rehabilitation of the Robin Oaks Apartments (166 units) located at 3035 East Ledbetter and increase the number of units that are deed restricted for the Walker Consent Decree from 33 to 45 - \$360,000, from \$802,000 to \$1,162,000 - Financing: 1997-98 HOME Investment Partnership Program Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1131

Item 49: Authorize the acceptance of \$200,000 Mobil Foundation funds to provide employment, training and basic education services for low to moderate income youth ages 16 and above during the summer totaling \$172,000; and authorize an Interlocal Agreement with the Dallas County Community College District for El Centro College to operate the basic education component for \$28,000 - \$200,000 - Financing: 1998 Mobil Foundation Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1132

Item 50: Authorize the exercise of a one year renewal option to the contract with United Way of Metropolitan Dallas, Inc. for administrative, marketing, collection, disbursement, and record keeping services for the City of Dallas' Charitable Solicitation of City Employees Program, for the period June 15, 1998 through June 14, 1999 - Not to exceed 10% annually of the funds collected from the City's annual employee charitable fund drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1133

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 51-55 was presented.

Agenda items 51, 54 and 55 were removed from the consent zoning docket, to be called as individual hearings.

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

<del>Agenda item 51: Zoning Case Z978-161/10512-NE(RB)</del>	[Considered individually]
Agenda item 52: Zoning Case Z978-165/8496-C(JA)	
Agenda item 53: Zoning Case Z978-167/10286-C(JA)	
<del>Agenda item 54: Zoning Case Z978-144/10204-NW(RB)</del>	[Considered individually]
<del>Agenda item 55: Zoning Case Z978-146/10491-NW(CR)</del>	[Considered individually]

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

Appearing to comment on cases on the consent zoning docket:

- Pat White, 4714 Wildwood Rd., regarding Zoning Case Z978-146-10491-NW(CR)
- D. G. Gilmore, 8519 Midway Rd., regarding Zoning Case Z978-146-10491-NW(CR)
- Joyce Lockley, 4718 Wateka Dr., regarding Zoning Case Z978-146-10491-NW(CR)

Councilmember Finkelman 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 Walne and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1134

Item 51: Zoning Case Z978-161/10512-NE(RB)

The consent zoning docket, consisting of agenda items 51-55, was presented.

Councilmember Mayes requested that consent zoning docket item 51 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 51 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Mayes' request.

Later in the meeting zoning docket item 51 was brought up for consideration.

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

A public hearing was called on zoning case Z978-161/10512-NE(RB), an application for an MU-2 (SAH) Mixed Use (Standard Affordable Housing) District with the retention of the Dry Overlay District on property presently zoned an LO-1-D Limited Office-Dry District, an MF-2(A) Multifamily District and a CR Community Retail District on the northwest side of Gaston Parkway, southwest of Beachview Street.

(The city plan commission recommended approval with retention of the Dry Overlay District, subject to deed restrictions volunteered by the applicant .)

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

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Walne abstaining).

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1135

Item 52: Zoning Case Z978-165/8496-C(JA)

Zoning Case Z978-165/8496-C(JA), a City Plan Commission authorized hearing to consider the granting of an Historic Overlay District for the Santa Fe II Freight Terminal and Warehouse on property on the south side of Jackson Street between Field Street and Griffin Street, and an ordinance implementing the proposal.

(The city plan commission recommended approval of an Historic Overlay District, subject to preservation criteria.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23485.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1136

Item 53: Zoning Case Z978-167/10286-C(JA)

Zoning Case Z978-167/10286-C(JA), an application for and an ordinance granting an Historic Overlay District for the Sears Buildings on property on the southwest side of Lamar Street, northwest of McKee Street.

(The city plan commission recommended approval of an Historic Overlay District, subject to preservation criteria.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23486.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1137

Item 54: Zoning Case Z978-144/10204-NW(RB)

The consent zoning docket, consisting of agenda items 51-55, was presented.

Deputy Mayor Pro Tem Salazar requested that consent zoning docket item 54 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 54 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Deputy Mayor Pro Tem Salazar's request.

Later in the meeting zoning docket item 54 was brought up for consideration.

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

A public hearing was called zoning case Z978-144/10204-NW(RB), an application for and an ordinance granting a Planned Development Subdistrict for a Public School (Sam Houston Relief School) and retention of MF-2 Multiple Family Subdistrict Uses on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest side of Lucas Drive, southwest of Afton Street.

(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.

Deputy Mayor Pro Tem Salazar moved to postpone the application until the April 22, 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. (Loza abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1138

Item 55: Zoning Case Z978-146/10491-NW(CR)

The consent zoning docket, consisting of agenda items 51-55, was presented.

Councilmember Forsythe Lill requested that consent zoning docket item 55 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 55 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Forsythe Lill's request.

A public hearing was called on zoning case Z978-146/10491-NW(CR), an application for and an ordinance granting a Specific Use Permit for a Hotel or Motel on property presently zoned a CR Community Retail District on the west side of Bluffview Boulevard, north of Lemmon Avenue.

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

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

Appearing in favor of the city plan commission recommendation:

- Pat White, 4714 Wildwood Rd.
- D. G. Gilmore, 8519 Midway Rd.
- Joyce Lockley, 4718 Wateka Dr.

Councilmember Forsythe Lill moved to close the public hearing, accept the recommendation of the city plan commission for approval and increase the time period from twenty years to a twenty-five years time period, subject to a site plan and conditions, and pass the ordinance and with that change.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 23487.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1139

Item 56: Public Hearing - Zoning Case Z978-124/9697-NC(LS)

A public hearing was called on zoning case Z978-124/9697-NC(LS), an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (outside) use for a golf practice and driving range on property presently zoned an MU-3 Mixed Use District at the west corner of Goldmark Drive and North Central Expressway.

(The city plan commission recommended approval for a one-year time period, subject to a site plan and conditions. This application was considered by the City Council on March 25, 1998, and was taken under advisement until April 8, 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:

-- Ray Davis, 1305 Goldmark Dr., the applicant

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

- (1) that the golf ball netting be a minimum of 130 feet in height and located as shown on the attached site plan, and installed within 21 days of the passage of this ordinance.
- (2) that the support poles for the netting be properly anchored and held in an upright position within 21 days of the passage of this ordinance.
- (3) that any torn netting be repaired within 21 days of the passage of this ordinance.
- (4) that the golf netting and support poles be properly maintained at all times.

and pass the ordinance with those changes.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23488.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1140

Item 57: Public Hearing - FLOODPLAIN APPLICATION

A public hearing was called to receive citizen comments on an application for a fill permit and removal of the floodplain (FP) prefix from 0.26 acres of land currently in the 100-year floodplain of Turtle Creek. The property is located at 3800 Turtle Creek Drive City Block B/2024, Lots 13 and 14 and is zoned Residential (R-7.5) in Planned Development No. 193. Fill Permit 98-02 - Financing: No cost consideration to the City.

No one addressed the city council regarding the application.

Councilmember Forsythe Lill moved the close the public hearing and approve the application.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1141

Item 58: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called to receive 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, January 14, 1998, February 11, 1998, February 25, 1998, and March 25, 1998, and was taken under advisement until April 8, 1998 with the public hearing open.)

No one addressed the city council regarding the amendment.

Councilmember Greyson moved to close the public hearing and deny the amendment.

Motion seconded by Councilmember Finkelman and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1142

Public Hearing - BENEFIT ASSESSMENT HEARING

56th Street from Lancaster Road to 2869 56th Street

- Item 59: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the above listed street
- Item 60: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for above listed street - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements for 56th Street from Lancaster Road to 2869 56th Street.

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

Appearing in favor of the proposed improvements or assessments:

-- Wanda Cummings, 2424 56th St.

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23489.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1143

Public Hearing - BENEFIT ASSESSMENT HEARING

Alley south of and parallel to Pleasant Hills Drive from Pleasant Meadows Lane to  
Cheyenne Road

- Item 61: \* Benefit assessment hearing for alley paving improvements for the above listed alley
- Item 62: \* Ordinance levying benefit assessments for alley paving improvements for the above listed alley - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessment for an Alley south of and parallel to Pleasant Hills Drive from Pleasant Meadows Lane to Cheyenne Road.

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

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23490.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1144

Item 63: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

There were no appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1145

Item 64: Authorize approval of the bi-weekly tax action

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1146

Addendum addition 1: An ordinance authorizing the issuance and sale of approximately \$323,500,000 City of Dallas, Texas Civic Center Convention Complex Revenue Refunding and Improvement Bonds, Series 1998; accepting pricing from the bond underwriting syndicate; approving the Bond Purchase Agreement; approving the Escrow Agreement; approving the Official Statement; and enacting other provisions in connection therewith

Mayor Pro Tem Poss moved to adopt the ordinance authorizing the issuance and sale of \$326,230,000 City of Dallas, Texas Civic Center Complex Revenue Refunding and Improvement Bonds, Series 1998; accepting pricing from the bond underwriting syndicate; approving the Bond Purchase Agreement; approving the Escrow Agreement; approving the Official Statement; and enacting other provisions in connection therewith.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23491.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1147

Addendum addition 2: Authorize a 60 day extension and increase in the price agreement with twenty-two firms for rental of heavy equipment - Not to exceed \$1,250,000 from \$6,000,000 to \$7,250,000 - Financing: Current Funds

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1148

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

Closed Session

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

- Annual Performance Evaluation of City Manager
- Annual Performance Evaluation of City Attorney
- Annual Performance Evaluation of City Auditor
- Discussion and evaluation of candidates for appointment to the position of City Secretary

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

- GTE Southwest Inc. v. City of Dallas, CA No. 3-98-CV-0662-G
- AT&T Communications of the Southwest, Inc., v. City of Dallas, CA No. 3-98-CV-003-R
- Teligent, Inc. v. City of Dallas, CA No. 3-97-CV-3052-R
- Southwestern Bell Telephone Company v. City of Dallas, CA No. 3-98-CV-0843-R

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:

Closed Session

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

- Annual Performance Evaluation of City Manager
- Annual Performance Evaluation of City Attorney
- Annual Performance Evaluation of City Auditor
- Discussion and evaluation of candidates for appointment to the position of City Secretary

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

- GTE Southwest Inc. v. City of Dallas, CA No. 3-98-CV-0662-G
- AT&T Communications of the Southwest, Inc., v. City of Dallas, CA No. 3-98-CV-003-R
- Teligent, Inc. v. City of Dallas, CA No. 3-97-CV-3052-R
- Southwestern Bell Telephone Company v. City of Dallas, CA No. 3-98-CV-0843-R

No other matters were discussed during the executive session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 8, 1998

98-1149

## 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, APRIL 8, 1998

EXHIBIT C