

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 22, 1998

98-1270

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

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

The meeting was called to order at 9:20 a.m.

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

The invocation was given by the Rev. Richie Butler.

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 2:30 p.m.

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Mayor

ATTEST:

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 22, 1998

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, APRIL 22, 1998

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1271

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: Charles Miller, 2723 Roberta St.  
REPRESENTING: Concern Citizens of Cadillac Heights  
SUBJECT: Condition of Cadillac Heights

SPEAKER: Anna Albers, 201 N. Edgefield Ave.  
REPRESENTING: Trinity River Action Coalition  
SUBJECT: Trinity bond proposal

SPEAKER: Linda Pelon, 3015 Nuttig Dr.  
REPRESENTING: Coalition of the Protection of White Rock Creek  
SUBJECT: Trinity River

SPEAKER: Lee Alcorn, 401 Wynnewood Village  
REPRESENTING: N.A.A.C.P.  
SUBJECT: Trinity River

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Mayor/K.K.K./E.P.A./D.I.S.D.

SPEAKER: Teddy Hawkins, 2608 Rochester St.  
SUBJECT: Trinity River

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1272

Item 1: Approval of Minutes

The acting city secretary stated that the minutes of the voting agenda meeting of March 25, 1998, the briefing meeting of April 1, 1998, the voting agenda meeting of April 8, 1998, and the briefing meeting of April 15, 1998 were presented for approval.

Councilmember Mayes moved to approve the minutes.

Motion seconded by Councilmember Blumer.

Councilmember Greyson asked Councilmember Mayes if she would accepted a friendly amendment to her motion to provide that correction of the minutes for April 8, agenda item 14, to read that she requested that the item be considered as an individual action item, with Councilmember Blumer moving approval of the item.

Councilmember Finkelman asked Councilmember Mayes if she would accepted a friendly amendment to her motion to provide that correction of the minutes for March 25, agenda item 74, to correctly indicate the speakers in opposition and favor of the city plan commission's recommendation.

Councilmember Mayes accepted the amendments as a part of her motion.

Councilmember Blumer, who seconded the original motion, also accepted the amendments and unanimously adopted. (Lipscomb absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1273

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-51, was presented for consideration.

Councilmember Walne requested that consent agenda item 22 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Walne's request.

Councilmember Greyson requested that consent agenda item 34 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 34 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson 's request.

Mayor Kirk requested that consent agenda item 44 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Kirk's request.

Councilmember Walne requested that consent agenda item 48 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Walne's request.

The following individuals appeared to comment on consent agenda items:

- Dick Monroe, (no residence address given), concerning consent agenda item 34
- Clyde Montgomery, 5822 Lake Placid, concerning consent agenda item 38

Councilmember Walne moved to approve all items on the consent agendas with the exception of items 22, 34, 38, 44 and 48 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1274

Item 2: Authorize a professional services contract with Hector Gomez Engineers, Inc., to provide design services for mechanical improvements to the Coliseum at Fair Park - \$114,250 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1275

Item 3: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the inspection of the Bachman, Fraiser, California Crossing, Carrollton and Forney Dams, and the design of specific improvements, in accordance with the National Dam Safety Act - \$338,323 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1276

Item 4: Authorize a contract for construction of the visitors facilities for the Dallas Nature Center - Inca Contractors, Inc., lowest responsible bidder of five - \$353,200 - Financing: 1995 Bond Funds (\$270,765) and 1996-97 Community Development Grant Funds (\$82,435)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1277

Item 5: Authorize a contract for miscellaneous site improvements and interior renovations to the Horticulture Center at Fair Park - Prime Construction Company, Inc., lowest responsible bidder of three - \$133,777 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1278

Item 6: Authorize a contract for Asphaltic Concrete Street Resurfacing Group 3 on various improved streets - APAC-Texas, Inc., lowest responsible bidder of three - \$856,651 - Financing: Section 108 Notes (\$820,616), 1995-96 Community Development Grant Funds (\$24,030), Water Utilities Capital Construction Funds (\$12,005)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1279

Item 7: Authorize a contract for the construction of bridge structural repairs and rehabilitation improvements to the Continental Avenue Viaduct over the Trinity River - Architectural Utilities, Inc., lowest responsible bidder of two - \$769,364 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1280

Item 8: Authorize a contract for the repair of the masonry walls at Fire Station #13, located at 6902 Frankford Road - Century Weatherproofing, Inc., lowest responsible bidder of five - \$56,467 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1281

Item 9: Authorize a contract for the construction of Storm Drainage Improvements - Group 9601- Allied Builders, Inc., lowest responsible bidder of three - \$84,480 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1282

Item 10: Authorize a contract for the construction of street modification and bottleneck improvements on Davis Street and Walton Walker Boulevard - I. Perez Construction, Inc., lowest responsible bidder of three - \$85,640 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1283

Item 11: Authorize a contract for the construction of street modification and bottleneck improvements on Bruton Road and St. Augustine Road - I. Perez Construction, Inc., lowest responsible bidder of three - \$72,735 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1284

Item 12: Authorize a contract for the construction of intersection improvements on Military Parkway and Buckner Boulevard - I. Perez Construction, Inc., lowest responsible bidder of three - \$83,995 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1285

Item 13: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Ohio Avenue from Ramsey Avenue to Alabama Avenue - Jeske Construction Company, lowest responsible bidder of five - \$135,552 - Financing: 1995 Bond Funds (\$94,179), Water Utilities Bond Funds (\$5,998), Water Utilities Capital Construction Funds (\$35,375)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1286

Item 14: Authorize a contract for the construction of sidewalks, curb and gutter, barrier free ramps, water and wastewater adjustments on the 1500 block of E. Illinois Avenue from Belknap Avenue to Crest Avenue - Allied Builders, Inc., lowest responsible bidder of two - \$65,609 - Financing: 1995-96 Community Development Grant Funds (\$59,509), Water Utilities Capital Construction Funds (\$6,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1287

Item 15: Authorize a contract for the construction of sidewalks, curb and gutter, barrier free ramps, water and wastewater adjustments on Meadow Street from Lenway Street to Roby Street - Onycha Industries Corporation, lowest responsible bidder of three - \$100,000 - Financing: 1994-95 Community Development Grant Funds (\$55,000), 1995-96 Community Development Grant Funds (\$43,956), Water Utilities Capital Construction Funds (\$1,044)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1288

Item 16: Authorize a contract for the construction of sidewalks, curb and gutter, barrier free ramps, water and wastewater adjustments on Lindsley Avenue from Cameron Avenue to Munger Avenue - Allied Builders, Inc., lowest responsible bidder of four - \$57,340 - Financing: 1995-96 Community Development Grant Funds (\$47,240), Water Utilities Capital Construction Funds (\$10,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1289

Item 17: Authorize a contract for the construction of storm drainage improvements on Pleasant Branch, Phase I at Cherrybrook Lake - Jeske Construction Company, lowest responsible bidder of eight - \$690,703 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1290

Item 18: Authorize a contract for the reconstruction of paving, storm drainage, water and wastewater main improvements on Cicero Street from Ann Arbor Avenue to Linfield Road - Camino Construction, Inc., lowest responsible bidder of four - \$478,507 - Financing: 1995 Bond Funds (\$347,653), Water Utilities Capital Improvement Funds (\$124,754), Water Utilities Capital Construction Funds (\$6,100)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1291

Item 19: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater improvements on Ash Lane from Second Avenue to Fourth Avenue - I. Perez Construction, Inc., lowest responsible bidder of three - \$443,869 - Financing: 1995 Bond Funds (\$265,245), Water Utilities Capital Improvement Funds (\$167,724), Water Utilities Capital Construction Funds (\$10,900)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1292

Item 20: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Beacon Street from Gaston Avenue to Live Oak Street - I. Perez Construction, Inc., lowest responsible bidder of six - \$529,823 - Financing: 1995 Bond Funds (\$337,713), Water Utilities Capital Improvement Funds (\$185,330), Water Utilities Capital Construction Funds (\$6,780)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1293

Item 21: Authorize a contract for the reconstruction of paving, storm drainage, water and wastewater improvements on Racine Drive from Camp Wisdom Road to Kirnwood Drive - Ed Bell Construction Company - lowest responsible bidder of five - \$983,010 - Financing: 1995 Bond Funds (\$680,655), Water Utilities Capital Construction Funds (\$10,865), Water Utilities Capital Improvement Funds (\$291,490)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1294

Item 22: Authorize a contract for the reconstruction of paving, storm drainage, water and wastewater improvements on Self Plaza from Garland Road to 1,000 feet west - XIT Paving and Construction, Inc., lowest responsible bidder of six - \$395,625 - Financing: 1995 Bond Funds (\$245,905), Water Utilities Capital Construction Funds (\$5,400), Water Utilities Capital Improvement Funds (\$144,320)

At the time the consent agenda was presented for discussion, Councilmember Walne requested that consent agenda item 22 be considered as an individual item. Mayor Kirk stated that consent agenda item 22 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Walne's request.

Later in the meeting agenda item 22 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.

Councilmember Hicks moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Walne abstaining; Lipscomb absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1295

Item 23: Authorize a contract for the reconstruction of paving, storm drainage, water and wastewater improvements on Alaska Avenue from Missouri Avenue to Illinois Avenue - Omega Contracting, Inc., lowest responsible bidder of four - \$367,958 - Financing: 1995 Bond Funds (\$298,528), Water Utilities Bond Funds (\$15,710), Water Utilities Capital Construction Funds (\$4,600), Water Utilities Capital Improvement Funds (\$49,120)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1296

Item 24: Authorize a contract for the reconstruction of alley paving improvements on the alley between Fisher Road and Lontos Drive from Lovers Lane to Fisher Road - Tiseo Paving Company, lowest responsible bidder of six - \$204,482 - Financing: 1995 Bond Funds (\$100,099), Water Utilities Bond Funds (\$97,153), Water Utilities Capital Construction Funds (\$7,230)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1297

Item 25: Authorize a contract for the reconstruction of street paving and water main improvements on Fairview Avenue from Dolphin Road to Boone Avenue - I. Perez Construction, Inc., lowest responsible bidder of seven - \$383,568 - Financing: 1995 Bond Funds (\$290,103), Water Utilities Capital Construction Funds (\$3,775), Water Utilities Capital Improvement Funds (\$89,690)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1298

Item 26: Authorize an increase in the contract with Adams Nedderman, Inc. for miscellaneous modifications, including value engineering to the building foundation and parking lot, HVAC system, fire alarm and security system, conduit and brick fence at Churchill Recreation Center - \$54,778, from \$1,383,000 to \$1,437,778 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1299

Item 27: Authorize an increase in the contract with Gibson and Associates, Inc. for the construction of intersection improvements on Preston Road and Belt Line Road - \$25,493, from \$206,926 to \$232,419 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1300

Item 28: Authorize an increase in the contract with Eagle Construction and Environmental Services, Inc. for removal of silt from the bottom of the lake for the Fishtrap Lake Area Phase II and Phase III projects to meet requirements of the Walker Consent Decree - \$280,826, from \$2,542,394 to \$2,823,220 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1301

Item 29: Authorize an Interlocal Agreement between the City of Dallas and the City of Mesquite for the acceptance of \$18,912 for the design and construction of paving and drainage improvements on the alley between Marlin Drive and Motley Drive from Oates Drive to Modlin Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1302

Item 30: Our Lady of Perpetual Help Catholic School

- \* Authorize an agreement with Our Lady of Perpetual Help Catholic School for engineering, construction management and the construction of soundproofing improvements at Our Lady of Perpetual Help Catholic School, located at 7625 Cortland Avenue near Dallas Love Field Airport - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1303

Item 31: Our Lady of Perpetual Help Catholic School

- \* Authorize Supplemental Agreement No. 3 to the contract with Carter & Burgess, Inc. for engineering and construction management for soundproofing improvements at Our Lady of Perpetual Help Catholic School - \$22,929, from \$320,472 to \$343,401 - Financing: Aviation Capital Construction Funds (\$18,343 to be reimbursed from FAA Airport Improvement Program Funds and \$2,293 from Our Lady of Perpetual Help Catholic School)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1304

Item 32: Our Lady of Perpetual Help Catholic School

- \* Authorize an increase in the contract with Win-Con Enterprises, Inc. for soundproofing improvements at Our Lady of Perpetual Help Catholic School - \$160,437, from \$2,103,152 to \$2,263,589 - Financing: Aviation Capital Construction Funds (\$128,349 to be reimbursed from FAA Airport Improvement Program Funds and \$16,044 from Our Lady of Perpetual Help Catholic School)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1305

Item 33: Authorize acquisition of individual avigation easements over 9 residential properties above approximately 2 acres of land located in the City of Irving, Texas for the D-FW International Airport Expansion project - \$287,375 (\$137,940 in easement acquisition payments and \$149,435 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1306

Item 34: Authorize acquisition of approximately 5 acres of unimproved land from Tuesday Morning, Inc., located near the intersection of Marsh Lane and Briargrove Street, for a neighborhood park in the far north Dallas area - \$300,000 plus closing costs and title expenses not to exceed \$5,000 for a total of \$305,000 - Financing: 1985 Bond Funds

At the time the consent agenda was presented for discussion, Councilmember Greyson requested that consent agenda item 34 be considered as an individual item. Mayor Kirk stated that consent agenda item 34 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 22 was brought up for consideration. Councilmember Greyson moved to suspend the rules in accordance with Section 10.1 of the City Council Rules of Procedure in order to let an individual address the city council.

The following individual addressed the city council regarding the item:

-- Dick Monroe, (no residence address given)

Councilmember Greyson moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1307

Item 35: Authorize the sale of approximately 19,260 square feet of unneeded and unwanted City-owned land, located near the intersection of Bryan Street and Texas Street to the highest bidder - Revenue: \$207,430

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1308

Item 36: An ordinance abandoning two alleys to Akard Place Joint Venture, the abutting owner, containing approximately 8,162 square feet of land, located near the intersection of Caroline Street and Ashland Street, and authorizing the quitclaim - Revenue: \$103,857 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23493.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1309

Item 37: Authorize the sale of eight single family residential properties to the highest bidders, acquired by the cities of Dallas and Fort Worth in connection with the D-FW International Airport Noise Mitigation Program for the new runway expansion project - Revenue: \$494,246 - proceeds to be retained in the D-FW International Airport Mitigation Program (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1310

Item 38: Authorize a thirty-six month price agreement for janitorial services at the Dallas Convention Center with the lowest responsible bidder of nine ■ Pedus Services, Inc. - Not to exceed \$8,186,365 - Financing: Event Services Current Funds

Later in the meeting agenda item 38 was brought up for consideration.

The following individual addressed the city council regarding the price agreement:

-- Clyde Montgomery,

Councilmember Hicks moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1311

Item 39: Authorize settlement of a lawsuit, styled Amanda Kinsfather v. Rogelio Ruiz and City of Dallas, Cause No. cc-98-00645-a - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1312

Item 40: Authorize settlement of a lawsuit, styled Wolf Gauglitz v. City of Dallas, et al., Civil Action No. 3:95-CV-3123-G - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1313

Item 41: Authorize settlement of a lawsuit, styled Roy Garcia Miramontez and Margaret Miramontez Snepp v. City of Dallas, Cause No. 94-07484-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1314

Item 42: Authorize a public hearing to be held on May 13, 1998 to receive citizen comments in preparation of the FY 1998-99 Operating, Capital, Grant and Trust budgets - Financing:  
No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1315

Item 43: Authorize annual adjustments to appropriations for the 1996-97 fiscal year and other financial adjustments for year-end close - Financing: No cost consideration to the City

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1316

Item 44: Authorize a major sports celebration in honor of the Dallas Stars on or following June 23, 1998, in accordance with Resolution 93-4570, "A Policy Statement for Major Sports Celebrations" - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion, Mayor Kirk requested that consent agenda item 44 be considered as an individual item. Mayor Kirk stated that consent agenda item 44 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Kirk's request.

Later in the meeting agenda item 44 was brought up for consideration.

Councilmember Hicks moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1317

Item 45: Authorize city-sponsorship in an amount not to exceed \$3,500 in direct sponsorship and \$1,500 for in-kind support of a new special event entitled "Ciclo en Mayo!" in accordance with Resolution 97-0854, the Policy Statement and Procedure Guidelines for the City-Sponsorship of Special Events Program - \$3,500 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1318

Item 46: Authorize (1) a public hearing to be held on May 13, 1998, to receive citizen comments on re-establishing the public improvement district, known as the Vickery Meadows Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements located in the District; and (2) consideration at the close of the hearing of a resolution renewing and re-establishing the Vickery Meadows Public Improvement District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1319

Item 47: Authorize 1) an increase earned as stipulated in the contract with Willis-Rollinson, Inc. d/b/a Ward North America, Inc. to provide workers' compensation claims management services for the current contract period of October 1, 1995 through September 30, 1998 - \$896,411, from \$4,564,590 to \$5,461,001; and 2) exercise a twelve month renewal option to the contract for the period of October 1, 1998 through September 30, 1999 - \$1,925,545 subject to the appropriation of funds - Total not to exceed \$2,821,956 - Financing: Workers' Compensation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1320

Item 48: An ordinance authorizing a change of zoning to an MU-2 (SAH) Mixed Use (Standard Affordable Housing) District and an MU-2(SAH)-D Mixed Use (Standard Affordable Housing)-Dry 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 property on the northwest side of Gaston Parkway, southwest of Beachview Street, and a resolution authorizing acceptance of deed restriction instruments submitted in conjunction with the change of zoning (Z978-161/10512-NE(RB) - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion, Councilmember Walne requested that consent agenda item 48 be considered as an individual item. Mayor Kirk stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Walne's request.

Later in the meeting agenda item 48 was brought up for consideration.

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

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Walne abstaining; Lipscomb absent)

Assigned ORDINANCE NO. 23494.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1321

Item 49: Authorize application for and acceptance of the 1997-98 Weed and Seed grants from the U. S. Department of Justice, Bureau of Justice Assistance for the period October 1, 1997 through September 30, 1998, and execution of the grant agreements - \$275,000 - Financing: U. S. Department of Justice, Bureau of Justice Assistance Grant Funds (\$175,000) and U. S. Department of Justice, Asset Forfeiture Funds (\$100,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1322

Item 50: Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program for homeowners, Glen E. Kenyon and Regina Meares, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$40,000 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1323

Item 51: Authorize a replacement housing payment for homeowner, Jimmie James Lee, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$22,500 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1324

Item 52: Miscellaneous Hearing

A public hearing was called to receive citizen comments to authorize an amendment to the CBD Streets and Vehicular Circulation Plan to delete the Canton/Taylor Extension between Central Boulevard and I.H. 345, to designate Unnamed CBD(1) from Central Expressway to Good Latimer Expressway as a two-lane undivided roadway with 24-foot pavement and parallel parking within 58 feet of right-of-way and to designate Unnamed CBD(2) from Canton Street to 500 feet south of the proposed Unnamed CBD(1) as a two-lane undivided roadway with 24-foot pavement and parallel parking within 58 feet of right-of-way and an ordinance implementing the changes - Financing: No cost consideration to the City.

No one addressed the city council regarding the amendment.

Councilmember Loza moved to close the public hearing with the following changes:

- (1) To delete the six land divided Canton-Taylor Connection from Central Expressway to IH-345.
- (2) To designate Unnamed CBD(1) from Central Expressway to Good Latimer as a two lane undivided roadway with 58 feet of right-of-way with 38 feet of pavement and parallel parking, transitioning to 24 feet of pavement with no parallel parking for the segment from 100 feet west to 100 feet east of the centerline of CBD(2).
- (3) To designate Unnamed CBD (2) from Canton Street to 500 feet south of CBD(1) as a two lane undivided roadway with 58 feet of right-of-way with 38 feet of pavement and parallel parking, transitioning to 24 feet of pavement with no parallel parking for the segment from 100 feet north to 100 feet south of the centerline of CBD(1).

and pass the ordinance with those changes.

Motion seconded by Councilmember Mayes.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

Voting Yes: [11] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mayes, Walne, Finkelman,  
Blumer, Forsythe Lill  
Voting No: [0]  
Absent: [3] Lipscomb absent; Mallory Carraway, Greyson absent when vote taken  
Vacant: [1] Place 3

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23495.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1325

98-1326

98-1327

Public Hearing - Amendment to City of Dallas Enterprise Zone Three

- Item 53: \* A public hearing was called to receive citizen comments concerning the amendment of Enterprise Zone Three (Enterprise Zone No. EZ235-120597-D3) in the City of Dallas to incorporate Census Tract 83.00 **[98-1325]**
- Item 54: \* An ordinance authorizing the amendment of the boundary of the City of Dallas Enterprise Zone Three - Financing: No cost consideration to City **[98-1326]**
- Item 55: \* A public hearing was called to receive citizen comments to authorize the City of Dallas to submit an application to the Texas Department of Economic Development (formerly the Texas Department of Commerce) for the amended Enterprise Zone Three; and authorize payment of the application fee to the Texas Department of Economic Development - Not to exceed \$500 - Financing: Current Funds **[98-1327]**

The following individuals addressed the city council regarding the amendment of Enterprise Zone Three:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Rigsby, 2900 Dilido Rd.

Councilmember Mayes moved to close the public hearing and pass the ordinance.

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

Assigned ORDINANCE NO. 23496.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1328

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 56-57 was presented.

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

Agenda item 56: Zoning Case Z978-164/521-C(LS)

Agenda item 57: Zoning Case Z978-169/10522-NW(LS)

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.

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 Forsythe Lill and unanimously adopted. (Lipscomb absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1329

Item 56: Zoning Case Z978-164/521-C(LS)

Zoning Case Z978-164/521-C(LS), an application for and an ordinance granting an amendment to Planned Development District No. 281, the Lakewood Center Special Purpose District, to increase the maximum height allowed in Subarea C to accommodate the existing building and mounted cellular antennas and to allow mounted cellular antennas by right at the northwest corner of LaVista Drive and Gaston Avenue.

(The city plan commission recommended approval , subject to amended conditions.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23498.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1330

Item 57: Zoning Case Z978-169/10522-NW(LS)

Zoning Case Z978-169/10522-NW(LS), an application for and an ordinance granting a TH-2(A) Townhouse District on property presently zoned a TH-1(A) Townhouse District and an R-10(A) Single Family District on the north side of Northwest Highway, west of Midway Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23499.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1331

Item 58: Public Hearing - Zoning Case Z978-115/9028-SE(CR)

A public hearing was called on zoning case Z978-115/9028-SE(CR), an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned an MU-1 Mixed Use District located north of Rylie Road and west of Dowdy Ferry Road.

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

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.

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

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

Motion seconded by Councilmember Hicks and unanimously adopted. (Kirk abstaining; Lipscomb absent)

Assigned ORDINANCE NO. 23500.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1332

Item 59: Public Hearing - Zoning Case Z978-126/10469-C(LS)

A public hearing was called on zoning case Z978-126/10469-C(LS), an application for a CR-MD-1 Community Retail District with a Modified Delta Overlay District on property presently zoned an MF-2(A)-MD-1 Multifamily District with a Modified Delta Overlay District at the northwest corner of LaVista Drive and Hope Street.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1333

Item 60: Public Hearing - Zoning Case Z978-143/10490-SE(CR)

A public hearing was called on zoning case Z978-143/10490-SE(CR), an application for and an ordinance granting a Planned Development District for a Private Recreation Center, Club or Area and related uses on property presently zoned an A(A) Agricultural District located east of Dowdy Ferry Road and south of Rylie Road.

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

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.

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

Councilmember Mayes 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. (Kirk abstaining; Lipscomb absent)

Assigned ORDINANCE NO. 23501.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1334

Item 61: Public Hearing - Zoning Case Z978-144/10204-NW(RB)

A public hearing was called on 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. This application was considered by the City Council on April 8, 1998, and was taken under advisement until April 22, 1998, with the public hearing open.)

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 chamber.

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, accept the recommendation of the city plan commission, and pass the ordinance.

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

Assigned ORDINANCE NO. 23502.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1335

BENEFIT ASSESSMENT HEARING

Market Center Boulevard from Stemmons Freeway to Harry Hines Boulevard

- Item 62: \* Benefit assessment hearing for street paving, storm drainage and water main improvements on the above listed street
- Item 63: \* Ordinance levying benefit assessments for street paving, storm drainage and water main improvements on the above listed street

A public hearing was called to receive comments on a proposal to levy benefit assessment for street paving, storm drainage and water main improvements on Market Center Boulevard from Stemmons Freeway to Harry Hines Boulevard.

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

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

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

Assigned ORDINANCE NO. 23503.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1336

BENEFIT ASSESSMENT HEARING

Superior Street from Emmett Street to Clarendon Drive

- Item 64: \* Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements on the above listed street
- Item 65: \* Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on the above listed street - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements on Superior Street from Emmett Street to Clarendon Drive.

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

Deputy Mayor Pro Tem Salazar moved to close the public hearing and pass the ordinance levying the assessments.

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

Assigned ORDINANCE NO. 23504.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1337

Item 66: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The 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 April 22, 1998.

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

Councilmember Blumer 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. (Lipscomb absent)

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

98-1344 BOA BOARD OF ADJUSTMENT  
98-1345 JNC JUDICIAL NOMINATING COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1338

Item 67: Authorize approval of the bi-weekly tax action

Deputy Mayor Pro Tem Salazar moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1339

CLOSED 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 evaluation of candidates for appointment to the position of City Secretary

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1340

Addendum addition 1: An ordinance establishing a franchise for 10 years with Southwestern Bell Telephone Company for provision of local exchange telephone services - Estimated Revenue: \$210,000,000 over 10 years

Councilmember Mayes moved to pass the ordinance.

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

Assigned ORDINANCE NO. 23505.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1341

Addendum addition 2: Authorize a flexible repurchase agreement with the highest bidder and a securities custodial agreement for the period May 7, 1998 through January 15, 2003, for the investment of approximately \$110 million Civic Center Convention Complex Revenue Refunding and Improvement Bonds, Series 1998 bond proceeds as described in Section 8.03, Investment of Construction Fund, of the Bond Ordinance

Mayor Pro Tem Poss moved to authorize a flexible repurchase agreement with the highest bidder and a securities custodial agreement for the period May 7, 1998 through January 15, 2003, for the investment of approximately \$110 million Civic Center Convention Complex Revenue Refunding and Improvement Bonds, Series 1998.

Motion seconded by Councilmember Mayes.

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

Voting Yes:	[11]	Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	
Absent:	[3]	Lipscomb absent
Vacant:	[1]	Place 3

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1342

Addendum addition 3: An ordinance authorizing amendments to Dallas Development Code Article XI, "Development Incentives," Division 51A-11.100, "Historic Preservation Incentives," Section 51A-11.101, "Historic Landmark Tax Provisions" revising the Historic Preservation Tax Incentives Program - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Dallas Development Code:

- Mamie Knight, 2470 Five Mile Pkwy.
- Catherine Horsey, 2922 Swiss Ave.

Councilmember Forsythe Lill moved to approve the updated amended Historical Preservation Tax Incentives Program and pass the ordinance..

Motion seconded by Councilmember Loza.

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

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23506.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 22, 1998

98-1343

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 22, 1998

EXHIBIT C