

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 27, 1998

98-1550

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

PRESENT: [13] Kirk, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb,
Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [2] Poss, Mayes absent on city business

The meeting was called to order at 9:26 a.m.

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

The invocation was given by the Rev. Anthony T. Evans, Oak Cliff Bible Fellowship.

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 2:22 p.m.

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, MAY 27, 1998

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 27, 1998

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1551

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: Billy Jack Ludwig, 4953 Thunder Rd.
SUBJECT: Racial problems in Dallas

SPEAKER: DeWayne Dallas, 6266 St. Albans Dr.
SUBJECT: Dallas City Council/Government loves Dallas

SPEAKER: Ted Horvitz, 11523 Audelia Rd.
SUBJECT: Sign ordinance

SPEAKER: Jane Shouse, 6546 Bob-O-Link Dr.
SUBJECT: Library's master plan

OPEN MICROPHONE - END OF MEETING:

No speakers.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1552

Item 1: Approval of Minutes

The acting city secretary stated that the minutes of the voting agenda meeting of May 13, 1998 were presented for approval.

Councilmember Finkelman moved to approve the minutes.

Motion seconded by Deputy Mayor Pro Tem Salazar.

Councilmember Greyson asked that the record reflect that she had voted "No" on agenda item 37.

Mayor Kirk asked the acting city secretary to reflect in the record that Councilmember Greyson had voted against the motion. (Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1553

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-37, was presented for consideration.

Councilmember Forsythe Lill requested that consent agenda item 13 and 37 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda item 13 and 37 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Finkelman 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 Finkelman's request.

Councilmember Walne moved to approve all items on the consent agenda with the exception of 13, 34 and 37 which would be considered later in the meeting.

Motion seconded by Councilmember Deputy Mayor Pro Tem Salazar and unanimously adopted.
(Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1554

Item 2: Authorize a professional services contract with Freese and Nichols, Inc. for the design of street paving, storm drainage, water and wastewater main improvements on Hudspeth Avenue from Lancaster Avenue to Garza Avenue - \$88,719 - Financing: Section 108 Notes (\$74,500), Water Utilities Bond Funds (\$14,219)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1555

Item 3: Authorize a contract for the construction of erosion control improvements along McKamy Branch - Craig Olden, Inc., lowest responsible bidder of two - \$138,782 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1556

Item 4: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on 56th Street from Lancaster Road to 2869 56th Street - BCI Utility Construction, Inc., lowest responsible bidder of four - \$2,281,255 - Financing: 1995 Bond Funds (\$1,652,385), Water Utilities Capital Improvement Funds (\$601,425), Water Utilities Capital Construction Funds (\$27,445)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1557

Item 5: Authorize a contract for the construction of street paving, storm drainage and water main improvements on Market Center Boulevard from Stemmons Freeway to Harry Hines Boulevard - Gibson & Associates, Inc., lowest responsible bidder of three - \$859,314 - Financing: 1995 Bond Funds (\$787,535), Water Utilities Capital Improvement Funds (\$64,712), Water Utilities Capital Construction Funds (\$7,067)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1558

Item 6: Authorize a contract for the replacement of water and wastewater mains and the rehabilitation of wastewater mains in an area bounded by Walnut Hill Lane, Kingsley Road, Buckner Boulevard, S.H. 352, Grand Avenue, I.H. 45, I.H. 30 and I.H. 35 - Atkins Bros. Equipment Company, Inc., lowest responsible bidder of six - \$2,086,269 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1559

Item 7: Authorize a contract for the replacement of water and wastewater mains and rehabilitation of wastewater mains in an area bounded by Northwest Highway, Buckner Boulevard, I.H. 20, F.M. 1382, I.H. 30, and Walton Walker Boulevard - Atkins Bros. Equipment Company, Inc., lowest responsible bidder of four - \$2,694,157 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1560

Item 8: Authorize Supplemental Agreement No. 2 to the contract with Good Fulton & Farrell Architects to provide lighting design for the Food and Fiber Building Renovation, Phase II at Fair Park - \$14,970, from \$258,500 to \$273,470 - Financing: Texas Department of Agriculture Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1561

Item 9: Authorize Supplemental Agreement No. 3 to the contract with Oglesby-Greene, Inc. for additional construction administration services for the Dallas Museum of Art Barrel Vault Roof Repair project - \$10,725, from \$48,788 to \$59,513 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1562

Item 10: Authorize an Interlocal Agreement with the Town of Addison for traffic signal improvements to the intersection on Arapaho Road at Dallas Parkway - \$24,286 - Financing: 1985 Bond Funds (to be reimbursed by the Town of Addison)

Approved as part of the consent agenda.\

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1563

Item 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jessie M. Compton, of approximately 11,400 square feet of land improved with a tenant-occupied single family residence, located at 1230 Carbona Drive for the replacement of Fire Station No. 34 - \$25,100 and eligible relocation benefits, not to exceed \$5,250 for tenant-occupied property, plus moving expenses - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1564

Item 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Marvin O. Hooten and Mickie Rita Hooten, of approximately 37,553 square feet of land improved with a used car lot, located at 7604-7612 Lake June Road for the replacement of Fire Station No. 34 - \$136,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1565

Item 13: Authorize deposit of a Special Commissioners' Award for approximately 15,331 square feet of land improved with 4 residential structures, from Harold Toplez, et al, for the Hispanic Community/Cultural Center at Good-Latimer Expressway and Live Oak Street - \$395,000 - Financing: 1995 Bond Funds

At the time the consent agenda was presented for discussion, Councilmember Forsythe Lill requested that consent agenda item 13 be considered as an individual item. Mayor Kirk stated that consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting agenda item 13 was brought up for consideration.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Loza.

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

Voting Yes: [13] Kirk, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb,
Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [0]
Absent: [2] Poss, Mayes absent on city business

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1566

Item 14: Authorize the private sale by quitclaim deed of 2 properties acquired by the taxing authorities from a Sheriff's Sale to Dallas Area Habitat for Humanity (list attached) - Revenue: \$7,560

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1567

Item 15: Authorize the quitclaim of 42 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders (list attached) - Revenue: \$329,423

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1568

Item 16: Authorize the conveyance of an easement and right-of-way for permanent erosion control structures to the Trinity River Authority of Texas, containing approximately 2,200 square feet of land and a temporary construction easement, containing approximately 1,730 square feet of land along the Elm Fork, north of Belt Line Road - Revenue: \$204

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1569

Item 17: An ordinance granting a private license to Seven Seventeen HB Dallas Corporation, for the use of approximately 1,107 square feet of air space over Olive Street near its intersection with Live Oak Street, to construct and maintain a granite entrance canopy - Revenue: \$3,647 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23518.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1570

Item 18: Authorize a thirty-six month price agreement for automotive filters with the lowest responsible bidder of nine - Robertson Fleet Service, Inc. - Not to exceed \$399,221 - Financing: Current Funds (\$396,662), Aviation Current Funds (\$2,559)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1571

Item 19: Authorize the purchase of a command and communications vehicle for the Police Department with the lowest responsible bidder of two - Lynch Display Vans, Inc. - Not to exceed \$370,452 - Financing: 1996-97 Local Law Enforcement Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1572

Item 20: Authorize a thirty-six month price agreement for janitorial services at City Hall, Northeast and Northwest District field buildings with the lowest responsible bidder of six - AM-KO Building Maintenance Co., Inc. - Not to exceed \$2,607,685 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1573

Item 21: Authorize a twenty-four month price agreement for liquid oxygen to be used to treat drinking water with the lowest responsible bidder of four - BOC Gases - Not to exceed \$99,705 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1574

Item 22: Authorize a twelve-month multiple award price agreement for minor home repairs, with one twelve (12) month renewal option at the same price, with the lowest responsible bidders of twelve - J.E.M. IV Carpentry, Floyd Billings Construction Company, E&M Remodeling, Dubros Construction, French Brothers Construction Company, Cleta Bryant Construction Company, L.B.J. Carpentry Inc., McBride Construction Company, Metroplex Realty Development Inc., Progressive Construction Group, Berry and Turner Construction - Not to exceed \$2,355,184 - Financing: Section 108 Notes (\$1,254,282); 1997-98 Community Development Grant Funds (\$1,021,020); 1993-94 Community Development Grant Funds (\$8,602); 1994-95 Community Development Grant Funds (\$35,000); 1995-96 Community Development Grant Funds (\$30,000); UDAG Grant Funds (\$6,280)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1575

Item 23: Authorize settlement of a lawsuit, styled James Dowell v. Steven Jackson and City of Dallas, Cause No. CC-97-04714-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1576

Item 24: Authorize settlement of a lawsuit, styled Alejandro Arroyo v. City of Dallas and Deborah Butler, Cause No. CC-97-00482-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1577

Item 24: Authorize payment of a judgment in a lawsuit, styled Robin Layne Hunter v. City of Dallas and Jeff Daniels Wallis, Cause No. 97-08789-J - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1578

Item 26: A resolution authorizing the City Manager to enter into a Loan Guarantee Agreement with the Texas Department of Transportation relating to funds loaned to Amtrak -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1579

Item 27: An ordinance amending Chapter 1 of the Dallas City Code to establish the frequency with which the official city newspaper must be selected - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23519.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1580

Item 28: Authorize renewal of City of Dallas' membership in the North Central Texas Regional Certification Agency for the period of January 1, 1998 through December 31, 1998 - \$28,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1581

Item 29: An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc. for basic service tier and installation and equipment charges - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23520.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1582

Item 30: An ordinance establishing Tax Increment Financing Reinvestment Zone Number Six, City of Dallas, Texas, to be known as the **Farmers Market TIF District**, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code, Chapter 311) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23521.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1583

Item 31: Authorize (1) a real property tax abatement agreement with the Innerscity Community Development Corporation (ICDC) for a ten-year abatement of taxes on 90% of the added value to the real property for the development of a retail and commercial strip complex; and (2) a 100% development fee rebate to (ICDC) in an amount not to exceed \$28,000 for the development on property located at 4900 Spring Avenue, in the Frazier Courts Target Neighborhood, Dallas, Texas 75210 within an Enterprise Community - Revenue: First year tax revenue estimated at \$977. Ten-year tax revenue estimated at \$9,774. (Estimated foregone for ten-year abatement \$87,970) - Financing: Walker Consent Decree Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1584

Item 32: Authorize Contract Renewal No. 1 to the contract with Nexus Recovery Center, Inc. to provide substance abuse treatment in a residential setting for adult women for the period June 1, 1998 through May 31, 1999 - \$50,370 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1585

Item 33: Authorize Contract Renewal No. 1 to the contract with Turtle Creek Manor, Inc. to provide substance abuse treatment in a residential setting for adults for the period July 1, 1998 through June 30, 1999 - \$91,250 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1586

Item 34: Authorize a public hearing to be held on June 10, 1998, to receive citizen comments and authorize Council action on June 10, 1998, on readopting and continuing in effect Chapter 12, ■City Youth Program Standards of Care,• of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law
- Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion, Councilmember Finkelman 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 Finkelman's request.

Later in the meeting agenda item 34 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Poss, Mayes absent on city business).

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1587

Item 35: Approval of the Brownfields Cleanup Revolving Loan Fund Program (BCRLFP) including the underwriting guidelines for loans to be made for the redevelopment of underutilized or abandoned sites; and authorization for the City Manager (1) to accept a grant and enter into an assistance agreement with the U.S. Environmental Protection Agency (EPA) for the use of a cooperative agreement award in the amount of \$350,000 for a three-year period for the establishment of the BCRLF Program; (2) to implement the BCRLF Program work plan to be administered by the Economic Development Department; (3) to establish appropriations in an amount not to exceed \$350,000 for the U.S. EPA award; (4) to execute loan documents for these funds for the redevelopment of underutilized or abandoned sites in accordance with the approved BCRLF Program; (5) to disburse funds by the City Controller in accordance with the approved BCRLF underwriting guidelines; (6) to execute a Request for Proposal, to select a private for profit or non-profit entity to provide loan administration, other financial services for the BCRLF Program - \$700,000 - Financing: U.S. Environmental Protection Agency Funds (\$350,000) and Public/Private Partnership Fund (\$350,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1588

Item 36: Authorize an agreement to extend the contract between Texas Utilities Electric Company and the City of Dallas for the purchase of raw water from the Elm Fork of the Trinity River for use at North Lake Steam Electric Station - Revenue: \$100,520 in 1997-98, \$301,563 annually thereafter

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1589

Item 37: Authorize amendments to the Minor Home Repair Program and the Home Improvement Loan Program statements to allow repairs to 283 of 635 homes designated by HUD which received Upfront Cost Assistance Program assistance between October 1, 1993 through December 31, 1995 where the home does not meet Housing Quality Standards and Minimum Housing Codes - Financing: No cost consideration to the City

At the request of members of the city council agenda item 37 was removed from the consent agenda to be considered as an individual item

Councilmember Forsythe Lill moved to defer the item to be briefed at the Housing and Neighborhood Development Committee meeting on June 1, 1998 and place on the June 10, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted. (Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1590

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 38-40 was presented.

Agenda items 38 and 40 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:

~~Agenda item 38: Zoning Case Z978-173/10529-NE(KC)~~ [Considered individually]

Agenda item 39: Zoning Case Z978-192/10241-C(KC)

~~Agenda item 40: Zoning Case Z978-193/10311-NE(KC)~~ [Considered individually]

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

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

Councilmember Blumer 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. (Poss, Mayes, Lipscomb absent on city business; Kirk, Hicks absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1591

Item 38: Zoning Case Z978-173/10529-NE(KC)

The consent zoning docket, consisting of agenda items 38-40 was presented.

Councilmember Walne requested that consent zoning docket item 38 be removed from the consent zoning docket to be called as an individual hearing. Deputy Mayor Pro Tem Salazar stated that consent zoning docket item 38 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Walne's request.

A public hearing was called on zoning case Z978-173/10529-NE(KC), a City Plan Commission authorized hearing to consider the granting of a Planned Development District for a Transit Passenger Station or Transfer Center (DART) on property presently zoned a CR Community Retail District and an R-10(A) Single Family District on the south side of Forest Lane, west of the former H.&T.C. Railroad Right-of-Way, and an ordinance implementing the proposal.

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

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

Councilmember Walne moved to postpone the application until the June 10, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Poss, Mayes Lipscomb absent on city business; Kirk, Hicks absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1592

Item 39: Zoning Case Z978-192/10241-C(KC)

Zoning Case Z978-192/10241-C(KC), an application for and an ordinance granting an amendment to the Phase II portion of Planned Development Subdistrict No. 20-Dry for Multiple Family Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, to allow single family uses along with the existing multiple family uses at the north corner of Gillespie Avenue and Welborn Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23522.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1593

Item 40: Zoning Case Z978-193/10311-NE(KC)

The consent zoning docket, consisting of agenda items 38-40 was presented.

Councilmember Blumer requested that consent zoning docket item 40 be removed from the consent zoning docket to be called as an individual hearing. Deputy Mayor Pro Tem Salazar stated that consent zoning docket item 40 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Blumer's request.

A public hearing was called on zoning case Z978-193/10311-NE(KC), application for and an ordinance granting an amendment to Planned Development District No. 476 for a Public School (Vickery Meadows Elementary) and MF-2(A) Multifamily District Uses at the northwest and southeast corners of Ridgecrest Road and Eastridge Drive to amend the traffic improvements section to allow a reduction in the amount of required pavement and sidewalks which must be in place prior to opening the school.

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

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

Appearing in favor of the city plan commission recommendation:

-- William Cothrum, 500 S. Ervay St., representing Dallas Independent School District

Councilmember Blumer moved to close the public hearing, amend the recommendation of the city plan commission to include the changes as indicated on the map given to the acting city secretary and pass the ordinance with that change.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Poss, Mayes, Lipscomb absent on city business; Kirk, Hicks absent)

Assigned ORDINANCE NO. 23523.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1594

Item 41: Public Hearing - Zoning Case Z967-318/4297-SW(KC)

A public hearing was called on zoning case Z967-318/4297-SW(KC), consideration of a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned as Planned Development District No. 101 for I-1 Industrial District Uses on the north side of Camp Wisdom Road between FM 1382 and Mountain Creek Parkway, and an ordinance implementing the City Plan Commission's recommendation.

(The city plan commission recommended retention of the existing Planned Development District with the deletion of the swine yard use.

Appearing in opposition to the city plan commission recommendation:

-- Philip Kendall, 5363 X-Ray Ln.

Appearing in favor of the city plan commission recommendation:

-- Donald Summons, 5326 Prime Ln.

Councilmember Miller moved to postpone the application until the June 10, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Loza and unanimously adopted. (Poss, Mayes, Lipscomb absent on city business; Kirk, Hicks absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1595

Item 42: Public Hearing - Zoning Case Z967-329/10408-SW(RB)

A public hearing was called on zoning case Z967-329/10408-SW(RB), an application for a Planned Development District for R-7.5(A) Single Family District Uses, Animal Production, Commercial Stable, Nursery, Garden Shop or Plant Sales, and Outside Storage with visual screening on property presently zoned an R-7.5(A) Single Family District on the north side of Wheatland Road, east of South R.L. Thornton Freeway (IH-35), and an ordinance implementing the City Plan Commission's recommendation.

(The city plan commission recommended approval with the deletion of the animal production and commercial stable uses, subject to a development/landscape plan and conditions.)

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

Councilmember Blumer moved to postpone the application until the June 10, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Poss, Mayes, Lipscomb absent on city business; Kirk, Hicks absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1596

Item 43: Public Hearing - Zoning Case Z978-162/10513-SW(RB)

A public hearing was called on zoning case Z978-162/10513-SW(RB), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an R-7.5(A) Single Family District at the northeast corner of Walton Walker Boulevard and Davis Street, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant.)

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

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

Motion seconded by Councilmember Blumer and unanimously adopted. (Poss, Mayes, Lipscomb absent on city business; Kirk, Hicks absent)

Assigned ORDINANCE NO. 23524.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1597

Item 44: Public Hearing - Zoning Case Z978-191/10159-NW(KC)

A public hearing was called on zoning case Z978-191/10159-NW(KC, an application for a Specific Use Permit for Multifamily Uses on property presently zoned as Area 5 within Planned Development District No. 465, the Arlington Park Special Purpose District, at the southwest corner of Chattanooga Place and Cemetery Drive.

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1598

Item 45: Public Hearing - Zoning Case Z978-177/9670-SW(KC)

A public hearing was called on zoning case Z978-177/9670-SW(KC), an application for an amendment to Planned Development District No. 407 for Multifamily and TH-2(A) Townhouse District Uses and termination of Specific Use Permit No. 1221 for Multifamily Uses on the south side of Kiest Boulevard, east of Boulder Drive.

(The city plan commission recommended denial. This application was considered by the City Council at a public hearing on May 13, 1998, and was taken under advisement until May 27, 1998, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Mike Coker, 6350 LBJ Frwy., representing the applicant

Appearing in favor of the city plan commission recommendation:

- David Marquis, 3110 W. Kiest Blvd.
- John Murdock, 3205 Springwood Ln.
- Neoma Shafer, 2538 W. Kiest Blvd.
- Joe Burkleo, 545 Lacewood Dr.
- Elsie Risby, 2900 Dilido Dr.
- Joe Martin, 3105 Gladiolus Ln.
- Nancy Moffett, 3114 Maple Leaf Ave.

Councilmember Mallory Caraway moved to postpone the application until the June 24, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Miller and unanimously adopted. (Poss, Mayes, Lipscomb absent on city business; Kirk, Hicks absent)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1599

Item 46: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The acting city secretary distributed a report showing board and commission nominations for the 1995-97 board term, updated through May 27, 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 Hicks 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 Forsythe Lill and unanimously adopted. (Poss, Mayes absent on city business)

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

98-1608 CAC CULTURAL AFFAIRS COMMISSION
98-1609 SDF SOUTH DALLAS/ FAIR PARK TRUST FUND BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1600

Item 47: Authorize approval of the bi-weekly tax action

Councilmember Loza moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1601

Item 48: Consent of the City of Dallas, Texas to the financing of the Crystal Hill Health and Rehabilitation in Dallas, Texas, by the Rusk County Health Facilities Corporation - Financing: No cost consideration to the City

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Miller and unanimously adopted. (Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1602

Item 49: Authorize a twenty-four month price agreement for rental of heavy equipment with the lowest responsible bidders of twenty - C & K Equipment and Truck, Inc., Con Equipment, Conley Lott Nichols Machinery, Crocker Crane Co., Inc., Dallas Ford New Holland, Inc., Darr Equipment Co., Future Equipment Co., Inc., G M I Rental, Hertz Equipment Rental Corp., Martin Equipment Co., Moody Day, Prime Equipment, Progressive Tractor, RDO Equipment Co., and U S Rentals, Inc. - Not to exceed \$7,646,595 - Financing: Current Funds (**Tie Bids**)

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Lipscomb.

The acting city secretary announced that the item could not be approved due to a tie bid on line item 15. In accordance with Section 271.901 of the Texas Local Government Code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

Mayor Kirk asked for a motion to reconsider the vote by which agenda item 49 was approved.

Councilmember Miller moved to reconsider the vote on agenda item 49 to break the tie bid.

Motion seconded by Councilmember Hicks.

The acting city secretary announced that the names of the tying bidders had been placed in a sealed envelope. Councilmember Miller drew the name of the winning bidder from the two names in the envelope.

The acting city secretary announced the successful bidders, as determined in the drawing, was:

Future Equipment

Councilmember Miller moved to award the price agreement to Future Equipment, the low bidder as determined from the proposals of the bidders and by the drawing to break the tie.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1603

Item 50: An ordinance abandoning a portion of Fairmount Street to Fairmount Mews, LLC, the abutting owner, containing approximately 3,750 square feet of land located near the intersection of Thomas Avenue and the Maple-Routh Connection, and authorizing the quitclaim - Revenue: \$52,594 plus the \$20 ordinance publication fee

Councilmember Forsythe Lill moved to pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Poss, Mayes absent on city business)

Assigned ORDINANCE NO. 23525.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1604

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

May 27, 1998

98-1605

Addendum addition 1: An ordinance awarding a franchise for 10 years to OpTel (Texas) Telecom, Inc. to provide local exchange telephone services - Revenue: \$4,800,000 over 10 years

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Poss, Mayes absent on city business)

Assigned ORDINANCE NO. 23526.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1606

Addendum addition 2: Authorize (1) a public hearing to be held on June 10, 1998 to receive citizen comments on boundary amendments to include the Wilson Building located at the northwest corner of Main and Ervay Streets and to exclude the Kirby Garage located at 1500 and 1504 Elm Street from Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (the "City Center TIF District") and corresponding amendments to the Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District ("City Center TIF District Plan"); and (2) Council action amending both Ordinance Number 22802, which created the City Center TIF District on June 26, 1996, and Ordinance Number 23034, which approved the City Center TIF District Plan, to provide for these boundary changes in the City Center TIF District and to allow for the acquisition, alteration, remodeling, repair or reconstruction of historic buildings and other related plan amendments in connection with the City's acquisition of the Wilson Building - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1607

Addendum addition 3: Authorize adoption of salary schedules for sworn personnel in the Dallas Police Department and the Dallas Fire Department for the following time periods: June 30, 1990 through September 30, 1990; FY 90/91; FY 91/92; FY 92/93; FY 93/94; FY 94/95; FY 96/97 and FY 97/98 - Not to exceed \$20,000 Financing: Contingency Reserve Fund

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

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Duncan abstaining: Poss, Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 27, 1998

98-1608

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, MAY 27, 1998

EXHIBIT C