

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 12, 1998

98-2250

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill  
ABSENT: [0]

The meeting was called to order at 9:18 a.m.

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

The invocation was given by Dr. Mike Armour, Skillman Church of Christ.

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 1:52 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Assistant City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

8/12/98 15:02:53  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 12, 1998

EXHIBIT A

8/12/98 15:02:53  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 12, 1998

EXHIBIT B

8/12/98 15:02:53  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2251

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: Roy Williams, 5881 Preston View Blvd.  
REPRESENTING: Forty Acres and a Mule  
SUBJECT: Other peoples' money

SPEAKER: DeWayne Dallas, 6266 St. Albans Dr.  
SUBJECT: Bill Clinton affairs

SPEAKER: Genie Fritz, 4144 Cochran Chapel Rd.  
SUBJECT: Trinity River issues

SPEAKER: Anna Albers, 201 N. Edgefield Ave.  
REPRESENTING: Citizens for a Safer Environment  
SUBJECT: Trinity River

OPEN MICROPHONE - END OF MEETING:

No speakers.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2252

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of June 24, 1998, and the briefing meeting of August 9, 1998, were presented for approval.

Councilmember Loza moved to approve the minutes.

Motion seconded by Councilmember Mayes and unanimously adopted.

# OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2253

## CONSENT AGENDA

The consent agenda, consisting of agenda items 2-63, was presented for consideration.

The assistant city secretary announced that his office has received written notice from members of the city manager, or notice in an addendum to the agenda, that consent agenda items 18 and 50 had been deleted and that notice of deleted items had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Greyson requested that consent agenda item 59 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 59 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Greyson 's request.

Councilmember Walne moved to approve all items on the consent agenda with the exception of agenda item 59 which would be considered later in the meeting.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2254

Item 2: Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc., to provide construction administration services for renovation of the Automobile Building, Phase I at Fair Park - \$36,166 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2255

Item 3: Authorize a professional services contract with Byrd/Forbes Associates, Inc. to provide engineering services and analysis of the inflow and infiltration into the wastewater collection system in the middle White Rock Creek drainage area bounded by Buckingham Road, Plano Road, Northwest Highway, and Abrams Road - \$1,278,412 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2256

Item 4: Authorize a professional services contract with Freese & Nichols, Inc. to provide engineering services for the replacement or rehabilitation of wastewater mains and replacement of water mains in an area bounded by Loop 12, I.H. 35 (Stemmons Freeway), I.H. 635, Hillcrest Road, Northwest Highway, Dallas North Tollway, I.H. 35 (R.L. Thornton Freeway), and Ledbetter Drive - \$999,175 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2257

Item 5: Authorize a professional services contract with Halff Associates, Inc. to provide engineering services for the replacement or rehabilitation of wastewater mains and replacement of water mains in an area bounded by I.H. 30, Loop 12, I.H. 35, Walnut Hill Lane, and I.H. 635 - \$1,052,992 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2258

Item 6: Authorize a contract for the construction of Lisbon Area A drainage improvements - Camino Construction, Inc., lowest responsible bidder of four - \$509,508 - Financing: Section 108 Notes (\$498,971), 1985 Bond Funds (\$10,537)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2259

Item 7: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, construction of barrier free ramps, water and wastewater main adjustments for the Sidewalk Replacement Program - P & E Engineering, lowest responsible bidder of three - \$56,112 - Financing: 1985 Bond Funds (\$42,162), Water Utilities Capital Construction Funds (\$13,950)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2260

Item 8: Authorize a contract for the construction of drainage improvements for Vinemont Channel from Dixon Branch to 956 Sylvania Drive - Bar Constructors, Inc., lowest responsible bidder of seven - \$1,080,829 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2261

Item 9: Authorize a contract for the construction of Joe's Creek erosion control improvements for Cox Lane to Peter Pan Drive - Craig Olden, Inc., lowest responsible bidder of four - \$536,520 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2262

Item 10: Authorize a contract for the East Side Water Treatment Plant Process Improvements Phase II and the Forney Pump Station Electrical and Piping Improvements - Eagle Contracting Corporation, lowest responsible bidder of six - \$19,740,000 - Financing: Water Utilities Capital Improvement Funds (\$19,576,421) and Water Utilities Capital Construction Funds (\$163,579)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2263

Item 11: Police Physical Evidence Laboratory

- \* Authorize Supplemental Agreement No. 1 to the contract with Wiginton Hooker Jeffry, P.C.  
- Architects for construction administration services for the renovation of the Police Physical Evidence Laboratory located at 718 Cantegral Street - \$12,250, from \$14,900 to \$27,150 -  
Financing: Current Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2264

Item 12: Police Physical Evidence Laboratory

- \* Authorize a contract for the renovation of the Police Physical Evidence Laboratory located at 718 Cantegral Street - Morrison Liston and Spencer, Inc., lowest responsible bidder of four - \$116,520 - Financing: 1997-98 Local Law Enforcement Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2265

Item 13: Authorize an increase in the contract with Malpro General Contractors, Inc. to provide miscellaneous modifications for the construction of a gymnasium enclosure, connecting link and site improvements at Arlington Park Recreation Center - \$32,228, from \$713,403 to \$745,631 - Financing: 1995-96 Community Development Grant Funds (\$7,756) and 1985 Bond Funds (\$24,472)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2266

Item 14: Authorize an increase in the contract with Malpro General Contractors, Inc. to provide miscellaneous modifications at K.B. Polk Recreation Center - \$84,779, from \$429,535 to \$514,314 - Financing: 1985 Bond Funds (\$49,579) and 1995 Bond Funds (\$35,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2267

Item 15: Authorize a Participation Agreement with Cockrell Hill Development, Inc. for permanent paving improvements on Posada Drive in connection with Las Hacienda Phase Three Addition project - \$58,185 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2268

Item 16: Authorize an Interlocal Agreement with the City of Coppell for the appurtenance adjustments and relocation of a City of Dallas 30-inch water main in advance of paving of Sandy Lake Road located within Coppell city limits - Not to exceed \$1,300,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2269

Item 17: Authorize acquisition of individual avigation easements over 8 residential properties above approximately 7 acres of land located in the City of Irving, Texas for the D-FW International Airport Expansion project - \$198,075 (\$95,076 in easement acquisition payments and \$102,999 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

August 12, 1998

98-2270

Item 18: Authorize the City Manager to execute and deliver to Redbird Development Corporation (RDC) a written notice to cure any current defaults or defaults that reoccur in the future under the terms and conditions of its lease(s) with the City at Redbird Airport and, upon failure of RDC to cure said defaults, authorize the City Manager to execute and deliver a notice of termination to RDC, effectively terminating said lease(s) with the City - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2271

Item 19: Authorize a thirty (30) year primary term lease with two five (5) year options to extend the lease of approximately 21.29 acres of land improved with an aircraft ramp, taxiway facilities, and automobile parking with MLT Development Co. at Dallas Love Field Airport - Revenue: \$232,121 annually

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2272

Item 20: Authorize the quitclaim of 32 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders - Revenue: \$196,795

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2273

Item 21: An ordinance granting a revocable license to William A. Davis, for the use of approximately 1,199 square feet of land, to maintain existing aerial signs and awnings in portions of Jackson Street and Austin Street rights-of-way - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23592.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2274

Item 22: An ordinance abandoning a portion of Crystal Street to Sylvan Partners, Ltd. and Linford USA, Inc., Trustee, the abutting owners, containing approximately 9,621 square feet of land, located near the intersection of Sylvan Avenue and Crystal Street, providing for the dedication of approximately 3,647 square feet of land needed for street right-of-way, and authorizing the quitclaim - Revenue: \$9,141 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23593.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2275

Item 23: An ordinance granting renewal of a private license to 1700 Commerce Street, L.P. for the use of approximately 2,183 square feet of subsurface space, to maintain the existing basement, cellar, areaway, light shaft, ventilating shaft, elevator lift, grating and awnings in Commerce Street and Ervay Street rights-of-way - Revenue: \$2,358 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23594.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2276

Item 24: PC Village Apartments Dallas, L.P.

- \* An ordinance abandoning fire lane easements to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 63,953 square feet of land, located near the intersection of Southwestern Boulevard and Village Glen Drive, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23595.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2277

Item 25: PC Village Apartments Dallas, L.P.

- \* An ordinance abandoning water and wastewater easements to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 13,833 square feet of land, located near the intersection of Southwestern Boulevard and Village Glen Drive, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23596.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2278

Item 26: SDL Partners, Ltd.

- \* An ordinance granting a revocable license to SDL Partners, Ltd., for the use of approximately 233 square feet of land, to maintain existing awnings with signage, a brick veneer facade and a vertical sign brace in portions of Main Street and Walton Street rights-of-way - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23597.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2279

Item 27: SDL Partners, Ltd.

- \* An ordinance granting a revocable license to SDL Partners, Ltd., for the use of approximately 21 square feet of land, to maintain an existing aerial sign and awning in a portion of Commerce Street right-of-way near Crowds Street - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23598.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2280

Item 28: Authorize a twenty-four month price agreement for compressed natural gas with the only bidder  
- Fleet Star of Texas, LC - Not to exceed \$488,088 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2281

Item 29: Authorize a twenty-four month multiple award price agreement for tires and tubes with the lowest responsible bidders of five - Goodyear Tire & Rubber Company, Gray's Wholesale Tire Distributors, Inc., Joe Esco Tire Company, Wallace Wade Wholesale Tire, Stanley Industrial Tires, Inc. - Not to exceed \$2,500,000 - Financing: Current Funds (\$2,462,500) and Water Utilities Current Funds (\$37,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2282

Item 30: Authorize the purchase and maintenance of computer equipment, computers, software and accessories with the lowest responsible bidder of seven - Monarch Systems, Inc. - \$157,145 -  
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2283

Item 31: Authorize a thirty-six month price agreement for International Truck parts and labor with the only bidder - Southwest International Trucks, Inc. - Not to exceed \$1,344,613 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2284

Item 32: Authorize a thirty-six month price agreement for Kawasaki motorcycle parts and labor with the only bidder - S. D. W. Ent. Inc., dba Kawasaki City - Not to exceed \$147,384 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2285

Item 33: Authorize a thirty-six month price agreement for Volvo GM Heavy Duty Truck parts and labor with the only bidder - Volvo and GMC Trucks of Dallas - Not to exceed \$514,661 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2286

Item 34: Authorize a thirty-six month price agreement for brake and clutch parts with the lowest responsible bidder of four - Robertson Fleet Service, Inc. - Not to exceed \$909,450 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2287

Item 35: Authorize a twenty-four month price agreement for parts cleaning machines, supplies and service with the only bidder - Safety Kleen Corp. - Not to exceed \$74,000 - Financing: Current Funds (\$63,409) and Water Utilities Current Funds (\$10,591)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2288

Item 36: Authorize a contract for the renovation of Reunion Arena Message Centers with the only bidder - Reynolds Indoor, Inc. - Not to exceed \$78,455 - Financing: Convention Center Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2289

Item 37: Authorize the replacement of Reunion Ice Floor Covering System with the only bidder - Ceco Sales Corp. - Not to exceed \$133,611 - Financing: Convention Center Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2290

Item 38: Authorize the replacement of twenty-nine Semi-Automatic Defibrillators with Laerdal Medical Corporation - Sole Source - Not to exceed \$84,996 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2291

Item 39: Authorize a twenty-four month price agreement for the rental of utility carts with the only bidder  
- E-Z - GO Southwest - Not to exceed \$126,327 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2292

Item 40: Authorize the Sixth Amendment to the original competitively bid contract with NEC Information Systems, Inc., terminating the Fifth Amendment to the original contract for \$600,000, and purchasing an upgrade to the Automated Fingerprint Identification System computer equipment with a twelve month warranty - Not to exceed \$300,000; decreasing the contract amount from \$5,910,255 to \$5,610,255 - Total not to exceed \$300,000 - Financing: 1997-98 Local Law Enforcement Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2293

Item 41: Authorize a thirty-six month multiple award price agreement for parts and service to provide control and monitoring of flood control pumps stations and stream/rainfall gauges (SCADA/ALERT - Supervisory Control and Data Acquisition - Automated Local Evaluation in Real Time System) with the lowest responsible bidders of three - HSQ Technology, A Corporation and NovaLynx Systems, Inc. - Not to exceed \$689,955 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2294

Item 42: Authorize a twenty-four month price agreement for removal of excavated materials with the lowest responsible bidder of four - Eddie Jones & Sons Trucking Service - Not to exceed \$583,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2295

Item 43: Authorize the replacement of an Ion Analyzer with Zellweger Analytics, Inc. - Sole Source - Not to exceed \$53,242 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2296

Item 44: Authorize settlement of a lawsuit, styled Betty Anderson v. City of Dallas and Douglas C. Chaney, Cause No. cc-97-5468-d - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2297

Item 45: Authorize settlement of a lawsuit, styled James Baker v. R.D. Young and City of Dallas, Cause No. 96-04279-L - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2298

Item 46: Authorize settlement of a complaint, styled Timothy Barbour v. City of Dallas, Equal Employment Opportunity Commission Charge No. 310 98 0105 – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2299

Item 47: Authorize a contract with HNTB Corporation to provide parking garage capacity/financial feasibility analyses, structural and people mover concepts and operational plans at Dallas Love Field Airport - Not to exceed \$688,500 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2300

Item 48: Authorize a public hearing to be held on August 26, 1998 to receive citizen comments in preparation of the proposed 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

August 12, 1998

98-2301

Item 49: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2302

Item 50: An ordinance awarding a franchise for 10 years to Taylor Communications Group (Taylor) to provide local exchange telephone services - Revenue: \$794,000 over 10 years

The assistant city secretary announced that the city manager had deleted agenda item 50 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2303

Item 51: Authorize acceptance of grant funds and execution of the grant agreement with the Texas Commission on Alcohol and Drug Abuse for the provision of substance abuse prevention activities for the period September 1, 1998 through August 31, 1999 - \$283,309 - Financing: Texas Commission on Alcohol and Drug Abuse Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2304

Item 52: Authorize a contract with the Texas Department of Health to enforce state and federal asbestos demolition and renovation regulations within the city limits for the period September 1, 1998 through August 31, 1999 - \$99,265 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2305

Item 53: Texas Natural Resource Conservation Commission

- \* Authorize application for and acceptance of grant funds from the Texas Natural Resource Conservation Commission to continue the City of Dallas Air Pollution Control Program for the period September 1, 1998 through August 31, 1999 - \$175,138 - Financing: Texas Natural Resource Conservation Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2306

Item 54: Texas Natural Resource Conservation Commission

- \* Authorize application for and acceptance of grant funds from the Texas Natural Resource Conservation Commission to reimburse costs associated with providing air pollution control services for the period September 1, 1998 through August 31, 1999 - \$257,635 - Financing: Texas Natural Resource Conservation Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2307

Item 55: Authorize application for and acceptance of grant funds from the Texas Commission on the Arts for general operation and project support to arts and cultural organizations in the city of Dallas for the period September 1, 1998 through August 31, 1999, and execution of the grant agreement - \$145,325 - Financing: Texas Commission on the Arts Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2308

Item 56: Rescind City Council Resolution #97-2004 that approved a Rental Housing Preservation Program loan to the Center for Housing Resources to rehabilitate the Carolina Chase Apartments, located at 5351 Peterson Lane, authorize an increase in the Rental Housing Preservation Program loan to NationsBank Community Development Corporation (Nations CDC) to include acquisition and rehabilitation of the 224-unit Steppington Apartments located at 10640 Steppington Drive by \$665,386 from \$597,517 to \$1,262,903 and increase the number of rental units deed restricted for the Walker Consent Decree by 17, from 19 to 36, and clarify the definition of affordable rents for Community Development Block Grant (CDBG) assisted rental housing projects - \$665,386 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2309

Item 57: Authorize a payment to Daiwa Finance Corporation, the lender, for the 256-unit Deerfield Apartments, located at 9670 Forest Lane, owned by the City of Dallas Multifamily Housing Acquisition Corporation in exchange for modifications to existing deed restrictions to provide 27 units for compliance with the Walker Consent Decree - \$100,000 - Financing: Walker Contingency Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2310

Item 58: Authorize application for and acceptance of the 1998-99 Zip Code 75216 Community Youth Development grant to keep children off the streets during school and curfew hours, reducing their vulnerability and accessibility to crime, from the Texas Department of Protective and Regulatory Services and execution of the grant agreement - \$29,260 - Financing: Texas Department of Protective and Regulatory Services Funds through its fiscal agent, the Community Council of Greater Dallas

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2311

Item 59: An ordinance amending Chapter 2 of the Dallas City Code to clarify duties of the Citizen's Safety Advisory Committee relating to school crossing guards, school sidewalks, and other school-child safety issues, and repealing Section 2 of Resolution No. 91-1363, passed by the City Council on April 24, 1991, which created the School Crossing Guard Board - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion, Councilmember Greyson requested that consent agenda item 59 be considered as an individual item. Mayor Kirk stated that consent agenda item 59 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 59 was brought up for consideration.

Councilmember Greyson moved to refer the item back to the Public Safety Committee.

Motion seconded by Councilmember Hicks and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2312

Item 60: Authorize acceptance of a continuation law enforcement-related grant entitled Commercial Auto Theft Interdiction Squad/6 for a program which aids in solving crimes from the Automobile Theft Prevention Authority and execution of the grant agreement - Not to exceed \$650,000 - Financing: 1998-99 State Automobile Theft Prevention Authority Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2313

Item 61: Authorize an Interlocal Agreement with the Texas Department of Transportation to install communication and traffic video conferencing equipment at City Hall - \$21,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2314

Item 62: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program for homeowner, Velma Brooks, 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 (\$17,500), 1996-97 Community Development Grant Funds (\$22,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2315

Item 63: Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program for homeowner, Thurman Green, 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 (\$17,500), 1996-97 Community Development Grant Funds (\$22,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2316

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 64-75 was presented.

Agenda items 64 and 75 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 64: Zoning Case Z978-194/10540-NW(ML)~~ [Considered individually]
- Agenda item 65: Zoning Case Z978-244/10089-C(KC)
- Agenda item 66: Zoning Case Z978-247/9423-NC(KC)
- Agenda item 67: Zoning Case Z978-251/1291-NC(LS)
- Agenda item 68: Zoning Case Z978-252/10585-SE(LS)
- Agenda item 69: Zoning Case Z978-254/10194-SW(LS)
- Agenda item 70: Zoning Case Z978-257/10601-SE(ML)
- Agenda item 71: Zoning Case Z978-259/10602-SE(ML)
- Agenda item 72: Zoning Case Z978-262/10397-C(RB)
- Agenda item 73: Zoning Case Z978-263/10018-SE(RB)
- Agenda item 74: Zoning Case Z978-273/10610-NC(LS)
- ~~Agenda item 75: Zoning Case Z978-277/10617-NC(PN)~~ [Considered individually]

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

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 Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2317

Item 64: Zoning Case Z978-194/10540-NW(ML)

The consent zoning docket, consisting of agenda items 64-75, was presented.

Deputy Mayor Pro Tem Salazar requested that consent zoning docket item 64 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 64 would be removed from the consent zoning docket to be called as an individual hearing.

Later in the meeting zoning docket item 64 was brought up for consideration.

Deputy Mayor Pro Tem Salazar announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Deputy Mayor Pro Tem Salazar left the city council chamber.

A public hearing was called on zoning case Z978-194/10540-NW(ML), an application for and an ordinance granting a P(A) Parking District on property presently zoned an R-5(A) Single Family District on the east side of Obenchain Street, north of Singleton Boulevard, 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 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. (Salazar abstaining)

Assigned ORDINANCE NO. 23599.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2318

Item 65: Zoning Case Z978-244/10089-C(KC)

Zoning Case Z978-244/10089-C(KC), an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1299 for a Child-care facility to include a private school use (Mi Escuelita, Inc.) on property presently zoned an MF-2(A) Multifamily District at the east corner of Bryan Street and Munger Boulevard.

(The city plan commission recommended approval of the amendment to and the renewal of Specific Use Permit No. 1299 for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23600.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2319

Item 66: Zoning Case Z978-247/9423-NC(KC)

Zoning Case Z978-247/9423-NC(KC), an application for an MU-3 Mixed Use District on property presently zoned a GO(A) General Office District on the north side of Belt Line Road, east of the Dallas North Tollway, and an ordinance granting an MU-3 (SAH) Mixed Use (Standard Affordable Housing) District, and a resolution accepting a deed restriction instrument submitted in conjunction with the change of zoning

(The city plan commission recommended approval of an MU-3(SAH) Mixed Use (Standard Affordable Housing) District, subject to deed restrictions volunteered by the applicant, in lieu of the requested MU-3 Mixed Use District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23601.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2320

Item 67: Zoning Case Z978-251/1291-NC(LS)

Zoning Case Z978-251/1291-NC(LS), an application for and an ordinance granting an amendment to Planned Development District No. 211 to amend the conceptual plan and development plan on property on the west side of Noel Road, north of Spring Valley Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23602.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2321

Item 68: Zoning Case Z978-252/10585-SE(LS)

Zoning Case Z978-252/10585-SE(LS), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District on the east side of Pleasant Drive, north of Bearden Lane.

(The city plan commission recommended approval for a two-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.0

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23603.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2322

Item 69: Zoning Case Z978-254/10194-SW(LS)

Zoning Case Z978-254/10194-SW(LS), an application for and an ordinance granting a Specific Use Permit for a Public School (West Oak Cliff Charter School) on property presently zoned an R-5(A) Single Family District at the northeast corner of West Illinois Avenue and Andrews Street.

(The city plan commission recommended approval for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23604.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2323

Item 70: Zoning Case Z978-257/10601-SE(ML)

Zoning Case Z978-257/10601-SE(ML), an application for and an ordinance granting a Specific Use Permit for a Public School (Eagle Charter School) on property presently zoned an R-7.5(A) Single Family District on the northwest side of E. Ledbetter Drive, northeast of Veterans Drive.

(The city plan commission recommended approval for a two-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23605.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2324

Item 71: Zoning Case Z978-259/10602-SE(ML)

Zoning Case Z978-259/10602-SE(ML), an application for an MF-2(A) Multifamily District on property presently zoned a CS-D-1 Commercial Service -Dry District and an R-7.5(A) Single Family District on the southwest side of C.F. Hawn Freeway, southeast of South Belt Line Road, and an ordinance granting an MF-2(SAH)-D Multifamily (Standard Affordable Housing)-Dry District.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23606.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2325

Item 72: Zoning Case Z978-262/10397-C(RB)

Zoning Case Z978-262/10397-C(RB), an application for and an ordinance granting an amendment to the site plan for Specific Use Permit No. 1350 for a Mini-warehouse on property presently zoned as Subdistrict F within Planned Development District No. 305 for Mixed Uses on property at the north corner of Haskell Avenue and Office Parkway.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23607.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2326

Item 73: Zoning Case Z978-263/10018-SE(RB)

Zoning Case Z978-263/10018-SE(RB), an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1285 for a Child-care facility on property presently zoned an R-7.5(A) Single Family District on the south side of Forney Road, east of Lomax Drive.

(The city plan commission recommended approval of the renewal of Specific Use Permit No. 1285 for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23608.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2327

Item 74: Zoning Case Z978-273/10610-NC(LS)

Zoning Case Z978-273/10610-C(LS), an application for and an ordinance granting an MF-3(A) Multifamily District on property presently zoned a GO(A) General Office District on the east side of Steppington Drive, north of Riverfall Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23609.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2328

Item 75: Zoning Case Z978-277/10617-NC(PN)

The consent zoning docket, consisting of agenda items 64-75 , was presented.

Councilmember Finkelman requested that consent zoning docket item 75 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 75 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Finkelman's request.

A public hearing was called on zoning case Z978-277/10617-NC(PN), an application for and an ordinance granting a Specific Use Permit for a Private school (Isaac Mayer Wise Academy) and a Child-care facility on property presently zoned an R-1/2ac(A) Single Family District at the southeast corner of Hillcrest Road and Alpha Road.

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

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

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

- (1) add condition limiting total enrollment to 150 students.
- (2) when the student enrollment reaches 75, a school zone will be established on Alpha Road between Peyton Dr. and Hillcrest Rd., the operator of the school shall notify the Director of Public Works and Transportation

and to pass the ordinance with those changes.

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 23610.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2329

Item 76: 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.)

Appearing in opposition to the city plan commission recommendation:

- John Scarborough, 6033 Prospect Ave., representing the Lower Greenville Neighborhood Association

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

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

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Hicks, Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2330

Item 77: 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.

(The city plan commission recommended denial without prejudice.)

Appearing in opposition to the city plan commission recommendation:

-- William Cothrum, 500 South Ervay St., representing the applicant

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

Councilmember Mallory Caraway moved to postpone consideration of the application until the September 9, 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. (Hicks, Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2331

Item 78: Public Hearing - Zoning Case Z978-203/5983-SW(RB)

A public hearing was called on zoning case Z978-203/5983-SW(RB), an application for and an ordinance granting an amendment to the conditions for the Tract IIA portion of Planned Development District No. 160 for Residential and Office Uses by creating a new Tract IIc that would permit Tract IIa uses and development standards as well as permitting a surface parking use on property on the northwest side of Bishop Avenue, southwest of Colorado Boulevard.

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

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

Deputy Mayor Pro Tem Salazar moved to postpone consideration of the application until the August 26, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Poss.

Mayor Kirk declared the motion adopted on a divided voice vote. (Lipscomb absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2332

Item 79: Public Hearing - Zoning Case Z978-204/10149-NC(RB)

A public hearing was called on zoning case Z978-204/10149-NC(RB), an application for and an ordinance granting a Planned Development District for a Private School, Church, and a Mounted Cellular Antenna on property presently zoned a D(A) Duplex District and a CR Community Retail District on both sides of Hillcrest Road, north of Arapaho Road.

(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 Greyson moved to postpone consideration of the application until the August 26, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2333

Item 80: Public Hearing - Zoning Case Z978-245/6324-SW(KC)

A public hearing was called on zoning case Z978-245/6324-SW(KC), an application for an MF-2(A) Multifamily District and the termination of the existing deed restrictions on property presently zoned an LO-3 Limited Office District and a CR Community Retail District at the north and west corners of Clark Road and Clarkridge Drive, and an ordinance granting an MF-1 (SAH) Multifamily (Standard Affordable Housing) District, and a resolution accepting an instrument terminating the existing deed restrictions and an instrument containing new deed restrictions.

(The city plan commission recommended approval of an MF-1(SAH) Multifamily (Standard Affordable Housing), subject to deed restrictions volunteered by the applicant, in lieu of the requested MF-2(A) Multifamily District, and approval of the termination of the existing deed restrictions.)

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

Appearing in favor of the city plan commission recommendation:

-- Jonathan Vinson, 1445 Ross Ave., representing the applicant, JPI Inc.

Councilmember Miller 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. (Lipscomb absent when vote taken)

Assigned ORDINANCE NO. 23611.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2334

Item 81: Public Hearing - Zoning Case Z978-243/10577-SW(KC)

A public hearing was called on zoning case Z978-243/10577-SW(KC), an application for and an ordinance granting an MF-1(A) Multifamily District on property presently zoned an R-7.5(A) Single Family District on the south side of LaRue Street, east of Duncanville Road, 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. This application was considered by the City Council at a public hearing on June 24, 1998, and was taken under advisement until August 12, 1998, with the public hearing open.)

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, and pass the ordinance.

Motion seconded by Councilmember Hicks and unanimously adopted. (Lipscomb absent when vote taken)

Assigned ORDINANCE NO. 23612.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2335

Item 82: Public Hearing - Zoning Case Z978-205/10563-SW(ML)

A public hearing was called on zoning case Z978-205/10563-SW(ML), an application for and an ordinance granting an MF-2(A) Multifamily District on property presently zoned a TH-3(A) Townhouse District at the eastern terminus of LeHavre Drive, east of Westmoreland Road, 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. This application was considered by the City Council at a public hearing on June 24, 1998, and was taken under advisement until August 12, 1998, with the public hearing open.)

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, subject to revised deed restrictions submitted by the applicant at the time of the hearing, and pass the ordinance.

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

Assigned ORDINANCE NO. 23613.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2336

Item 83: Public Hearing - DEVELOPMENT CODE AMENDMENT

A public was called on consideration of an amendment to the Dallas Development Code amending Section 51A-4.311, "SPECIAL EXCEPTIONS," authorizing the Board of Adjustment to grant a reduction of up to 50 percent of the required off-street parking spaces for the industrial (inside) use, and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

Mayor Pro Tem Poss 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.

Assigned ORDINANCE NO. 23614.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2337

Item 84: 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 .44 acres of land currently located in the 100-year floodplain of Bachman Creek. The property is located on Guernsey Court south of Northwest Highway in City Block 5573, Lots C and H and is zoned Residential 10 (A) - Fill Permit 98-07 - Financing: No cost consideration to the City.

No one addressed the city council regarding the application.

Councilmember Blumer moved to close the public hearing and approve the application.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2338

Item 85: 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 0.18 acres of land currently in the 100-year floodplain of Knights Branch. The property is located at 5910 Cedar Springs Road and is zoned Planned Development 193 - Fill Permit 98-06 - Financing: No cost consideration to the City.

No one addressed the city council regarding the application.

Councilmember Loza moved to close the public hearing and approve the application.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2339

Item 86: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The assistant city secretary distributed a report showing board and commission nominations for the 1997-99 board term, updated through June 24, 1998.

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

Councilmember Mayes 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 Loza and unanimously adopted.

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

98-2352 CDC COMMUNITY DEVELOPMENT COMMISSION  
98-2353 HSC HUMAN SERVICES COMMISSION  
98-2354 PLA PERMIT AND LICENSE APPEAL BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2340

Item 87: An ordinance authorizing a Specific Use Permit for an Alcoholic Beverage Establishment to be used as a Private-Club Bar on property presently zoned an IR Industrial Research District on the east side of Emerald Street, south of Crown Road (Z978-176/10527-NW(KC) - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Councilmember Mayes.

After discussion, Mayor Kirk called the vote on the motion and stated that a 3/4 vote was needed to approve the ordinance:

Voting Yes: [13] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill

Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23615.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2341

Item 88: Declare approximately 1.4 acres of city-owned land, located on Reunion Boulevard at Sports Street, unwanted and unneeded and authorize its sale to Reunion Hotel/Tower Joint Venture, the highest bidder of 5 bids received - Revenue: \$100,415

The assistant city secretary announced that Councilmember Miller had deferred consideration of consent agenda item 88 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Mallory Caraway moved to suspend the rules to undefer the item.

Motion seconded by Councilmember Mayes.

After discussion, Mayor Kirk called the vote on Councilmember Mallory Caraway's motion to undefer:

Voting Yes: [11] Kirk, Poss, Salazar, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne,  
Finkelman, Greyson, Forsythe Lill  
Voting No: [4] Loza, Miller, Duncan, Blumer

Mayor Kirk declared the rules suspended as two-thirds of the city council members present had voted in the affirmative.

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Mallory Caraway.

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

Voting Yes: [13] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb,  
Walne, Finkelman, Grenson, Forsythe Lill  
Voting No: [2] Miller, Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2342

Item 89: An ordinance amending Chapter 28 of the Dallas City Code to establish a "no cruising zone" in the Deep Ellum District; to create an offense for cruising in the "no cruising zone," with certain defenses; and to provide a penalty not to exceed \$500. (Mayor Pro Tem Poss, Deputy Mayor Pro Tem Salazar, Councilmembers Lipscomb, Walne, Mallory Caraway, Mayes, Hicks, Blumer, Loza, Duncan, Miller, Finkelman, Greyson, Forsythe Lill)

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

Assigned ORDINANCE NO. 23616.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2343

Item 90: An ordinance amending Chapter 2 of the Dallas City Code to define terms; to provide when a city officer or employee is considered to be negotiating concerning prospective employment or a prospective business opportunity, thereby requiring disclosure to the city manager or other appointing official or body; to restrict a former city officer or employee in representing before the city, or receiving compensation from, another person or organization on certain matters after leaving city service or employment; to provide for city council waiver of these restrictions; to require a city officer to abstain from voting or participating in discussions on a matter involving a customer, client, patient, or business associate of a business entity in which the city officer has a financial interest; to make certain nonsubstantive changes; to provide a criminal penalty not to exceed \$500; and to provide an effective date (Deputy Mayor Pro Tem Salazar, Councilmembers Blumer, Loza, Duncan, Miller, Hicks via Mayor Kirk)

The following individual addressed the city council regarding the Dallas City Code:

-- Steve Taylor, 10707 Preston Rd., representing North Dallas Chamber of Commerce.

Councilmember Lipscomb moved to defer the item.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Miller asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the council would be briefed by the city attorney and that the item would come back to the council on October 7, 1998.

Councilmember Lipscomb stated that he would not accept the amendment as a part of his motion.

Councilmember Miller posed a point of parliamentary inquire to the city attorney, if the item before them is deferred would that kill the ethics bill by not having a time table to bring the item back for briefing or action?

The city attorney stated that Councilmember Lipscomb's motion to defer the item without a date certain is the same thing as a motion to postpone indefinitely, and that will be the status of the item if Councilmember Lipscomb's motion is approved.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



During discussion, Mayor Kirk asked Councilmember Hicks if he would yield to Councilmember Lipscomb. Mayor Kirk clarified that Councilmember Lipscomb's motion was to defer the item until the first briefing meeting on the October 7, 1998. Mayor Kirk inquired of Councilmember Mallory Caraway, who seconded the original motion, if this was acceptable to her.

Councilmember Mallory Caraway accepted Councilmember Lipscomb's motion to defer the item until October 7, 1998 briefing meeting.

Councilmember Miller asked Councilmember Lipscomb if he would accept a friendly amendment to bring the item back for council action on November 11, 1998.

Councilmember Lipscomb did not accept Councilmember Miller's friendly amendment.

During debate on Councilmember Miller's motion, Councilmember Mayes moved the previous question. Motion seconded by Deputy Mayor Pro Tem Salazar.

Mayor Kirk called the vote on Councilmember Mayes' motion to end debate and proceed to an immediate vote on the pending question.

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

Mayor Kirk declared the motion adopted.

Mayor Kirk called the vote on Councilmember Lipscomb's motion to defer the item and bring the item for a briefing on October 7:

Voting Yes:	[15]	Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	

Mayor Kirk declared the motion adopted.

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

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98-2344

Item 91: Appointments to the Privatization Technical Subcommittee to fill four vacancies - Financing: No cost consideration to the City

Councilmember Walne moved to defer the item until the September 23, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2345

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
- Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort Worth, Texas, Cause No. 3-98-CV-1187-R

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

- Discussion of the appointment of an interim City Manager
- Discussion and evaluation of candidates for appointment to the positions of City Secretary and City Attorney
- Dallas Firefighters Association et. al., v. City of Dallas, Cause No. 96-11138

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2346

Addendum addition 1: A resolution approving Gavino D. Sotelo as interim City Manager for the City of Dallas

Councilmember Mayes moved to approve the resolution.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2347

98-2348

Addendum addition 2: Baylor Health Care System

- \* An ordinance abandoning Gordon Alley, a portion of Junius Street, a portion of Worth Street, a portion of Hall Street and a portion of the air rights over Hall Street to Baylor Health Care System and Baylor University Medical Center, the abutting owners, containing approximately 57,048 square feet of land, located near the intersection of Walton Street and T & P Railroad, authorizing the quitclaim, providing for the dedication of approximately 49,337 square feet of land needed for the CBD Pike/Fair Pike Link and assumption of approximately \$57,743 in demolition costs - Revenue: \$650 plus the \$20 ordinance publication fee [98-2347]

Addendum addition 3: Baylor Health Care System

- \* An ordinance abandoning a portion of a wastewater easement to Baylor Health Care System, the abutting owner, containing approximately 4,396 square feet of land, located near the intersection of Washington Avenue and Worth Street, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee [98-2348]

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

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Lipscomb.

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

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill  
Voting No: [0]  
Absent: [1] Mayes abstaining

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23617 and ORDINANCE NO. 23618.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

August 12, 1998

98-2349

Addendum addition 4: An ordinance abandoning a portion of an alley to Los Barrios Unidos Community Clinic, Inc. and Steven Michael Taylor, the abutting owners, containing approximately 6,947 square feet of land, located near the intersection of Singleton Boulevard and Sylvan Avenue, providing for the dedication of approximately 4,980 square feet of land for an alley easement and authorizing the quitclaim - Revenue: \$3,010 plus the \$20 ordinance publication fee

Deputy Mayor Pro Tem Salazar announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Deputy Mayor Pro Tem Salazar left the city council chamber.

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Salazar abstaining)

Assigned ORDINANCE NO. 23619.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2350

Addendum addition 5: Authorize payment to St. Paul Fire and Marine Insurance Company of the annual premium for the supersedeas bond necessary to appeal the case or LJ&J Corporation d/b/a Akard Shoe Repair, Dr. Diane B. Mosbacher and Dr. Matthew Bashoever, individually and d/b/a Accent Optical, Gifts, Gifts, Gifts, a Texas general partnership, and Sub Total Sub Shoppe, Inc. v. City of Dallas, Cause Nos. 3:94-CV- 2420-H and 3:95-CV-0554-H, in an amount not to exceed \$30,000 each year for the next two years, total not to exceed \$60,000 - Financing: Current Funds

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2351

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, AUGUST 12, 1998

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, AUGUST 12, 1998

98-2250

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,  
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

ABSENT: [0]

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2311

Item 59: An ordinance amending Chapter 2 of the Dallas City Code to clarify duties of the Citizen's Safety Advisory Committee relating to school crossing guards, school sidewalks, and other school-child safety issues, and repealing Section 2 of Resolution No. 91-1363, passed by the City Council on April 24, 1991, which created the School Crossing Guard Board - Financing: No cost consideration to the City

At the time the consent agenda was presented for discussion, Councilmember Greyson requested that consent agenda item 59 be considered as an individual item. Mayor Kirk stated that consent agenda item 59 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 59 was brought up for consideration.

Councilmember Greyson moved to refer the item back to the ~~Citizen Safety Advisory Committee~~ Public Safety Committee.

Motion seconded by Councilmember Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1998

98-2343

Item 90: An ordinance amending Chapter 2 of the Dallas City Code to define terms; to provide when a city officer or employee is considered to be negotiating concerning prospective employment or a prospective business opportunity, thereby requiring disclosure to the city manager or other appointing official or body; to restrict a former city officer or employee in representing before the city, or receiving compensation from, another person or organization on certain matters after leaving city service or employment; to provide for city council waiver of these restrictions; to require a city officer to abstain from voting or participating in discussions on a matter involving a customer, client, patient, or business associate of a business entity in which the city officer has a financial interest; to make certain nonsubstantive changes; to provide a criminal penalty not to exceed \$500; and to provide an effective date (Deputy Mayor Pro Tem Salazar, Councilmembers Blumer, Loza, Duncan, Miller, Hicks via Mayor Kirk)

The following individual addressed the city council regarding the Dallas City Code:

-- Steve Taylor, 10707 Preston Rd., representing North Dallas Chamber of Commerce.

Councilmember Lipscomb moved to defer the item.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Miller asked Councilmember Lipscomb if he would accept a friendly amendment to his motion to provide that the council would be briefed by the city attorney and that the item would come back to the council on October 7, 1998.

Councilmember Lipscomb stated that he would not accept the amendment as a part of his motion.

Councilmember Miller posed a point of parliamentary inquire to the city attorney, if the item before them is deferred would that kill the ethics bill by not having a time table to bring the item back for briefing or action?

The city attorney stated that Councilmember Lipscomb's motion to defer the item without a date certain is the same thing as a motion to postpone ~~indefinitely~~, indefinitely and that will be the status of the item if Councilmember Lipscomb's motion is approved.

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