

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 26, 1998

98-2410

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 9:26 a.m.

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

The invocation was given by the Rev. Edward D. Garcia, pastor, Emmanuel United Methodist Church.

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

After all business properly brought before the city council had been considered the city council adjourned at 4:28 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.

09/01/989:11 am
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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 26, 1998

EXHIBIT A

09/01/98 9:11 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 26, 1998

EXHIBIT B

09/01/98 9:11 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2411

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Marvin Crenshaw, 5134 Malcolm X. Blvd.
SUBJECT: 14-1

SPEAKER: Lester Harper, 1523 Hudspeth Ave.
SUBJECT: Taxicab regulations

SPEAKER: Freddie Hawkins, 1106 S. High Hill Pl.
SUBJECT: Demolition of home/Need replacement of home

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Elsie Risby, 2900 Dilido Rd.
SUBJECT: Budgets

SPEAKER: Richard Peterson, 4553 Turnberry Ct., Plano
SUBJECT: Help keep open Casa Linda Theater and Astro Drive Inn

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2412

Item 1: Approval of Minutes

The acting city secretary stated that the minutes of the voting agenda meeting of August 12, 1998, were not yet complete and would be distributed to the city council for approval at a future meeting.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2413

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-60, was presented for consideration.

The acting city secretary announced that her office has received written notice from members of the city manager, or notice in an addendum to the agenda, that consent agenda item 23 had been deleted and that notice of deleted or deferred items had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The following individual appeared to comment on consent agenda items:

-- Jewel Floyd, 3815 Myrtle St., concerning consent agenda item 16

Mayor Pro Tem Poss and Councilmember Blumer requested that consent agenda item 41 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss and Councilmember Blumer 's request.

Councilmember Blumer requested that consent agenda items 43 and 44 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 43 and 44 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Greyson requested that consent agenda item 54 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Mayes requested that consent agenda item 60 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 60 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Mayes' request.

Deputy Mayor Pro Tem Salazar moved to approve all items on the consent agenda with the exception of agenda item 23 which had been deferred or deleted until the next voting agenda meeting, and agenda items 16, 21, 41, 43, 44, 54 and 60 which would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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August 26, 1998

98-2414

Item 2: Authorize a professional services contract with Spencer Design Group, Inc. for a feasibility study for an improved Crisis Management Center at Dallas Love Field Airport - \$32,309 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2415

Item 3: Authorize a contract for a new backstop, automatic irrigation system and turf for the east ballfield at Fretz Park - Eagleton Construction, Inc., lowest responsible bidder of five - \$88,630 - Financing: 1985 Bond Funds (\$22,630) and 1995 Bond Funds (\$66,000)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2416

Item 4: Authorize a contract for the construction of storm drainage improvements at City Park - Barson Utilities, Inc., lowest responsible bidder of four - \$167,556 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2417

Item 5: Authorize a contract for the construction of erosion control measures along the creek at Ruthmeade Park - Jeske Construction Co., lowest responsible bidder of four - \$221,474 - Financing: 1994-95 Community Development Grant Funds (\$101,893) and 1995-96 Community Development Grant Funds (\$119,581)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2418

Item 6: Authorize a contract for the construction of exterior drainage and water infiltration repairs at Fire Station #20, located at 12727 Montfort Drive - Gilbert May, Inc., lowest responsible bidder of three - \$69,840 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2419

Item 7: Authorize a contract for the construction of sidewalks, retaining walls, drive approaches, curb and gutters, barrier free ramps and water main adjustments on Birmingham Avenue from Jeffries Street to Malcolm X Boulevard - B. T. Construction Inc., lowest responsible bidder of six - \$92,727 - Financing: 1985 Bond Funds (\$13,197), 1997-98 Community Development Grant Funds (\$66,530), Water Utilities Capital Construction Funds (\$13,000)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2420

Item 8: Authorize a contract for the construction of drainage improvements at 5019 Clubview Drive, 2626 and 2914 Gladiolus Lane - P & E Engineering, lowest responsible bidder of three - \$86,155 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2421

Item 9: Authorize a contract for the construction of heating, ventilation and air conditioning replacement at Casa View Branch Library - Gulf Energy Systems, Inc., lowest responsible bidder of three - \$64,500 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2422

Item 10: Authorize Supplemental Agreement No. 1 to the contract with Conley Design Group, Inc. to prepare construction documents and provide construction administration services for the renovation of the Sheep and Goat Building at Fair Park and authorize an increase in appropriations of funds from State Fair of Texas, Inc. - \$50,468, from \$19,050 to \$69,518 - Financing: State Fair of Texas Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2423

Item 11: Authorize Supplemental Agreement No. 2 to the contract with Matrix Consultants, Inc. to provide additional architectural services for a recreation center addition at Kiest Park - \$14,750, from \$91,069 to \$105,819 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2424

Item 12: Authorize an increase in the contract with C. F. Jordan Commercial, L.P. for the construction of the Exxon Endangered Tiger Exhibit and Primate of Southeast Asia Exhibit at the Dallas Zoo to include site lighting conduit and piers, additional steel at bamboo barrier, raising drain elevations, entry "sala" structure, waterproofing enclosures for thermostats, automatic thermostats at heating and ventilation units, painting mesh pole boxes, sloping roof for drainage and replacing the door at primate hut #5 with a door matching huts #1-4 - \$51,173, from \$4,255,083 to \$4,306,256 - Financing: 1995 Bond Funds (\$38,429) and Dallas Zoo Trust Funds (\$12,744)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2425

Item 13: Authorize an increase in the contract with BAR Constructors, Inc. for additional work associated with the replacement or rehabilitation of wastewater mains and the replacement of water mains in Swiss Avenue, Bryan Street and in alleys between Bentley Avenue and Wilton Avenue; Sunset Street and Tenth Street; Gaston Avenue and Shook Avenue; Abrams Street and Victor Street; Richmond Avenue and Prospect Avenue; Reagan Street and Oaklawn Avenue; Paulus Avenue and Nesbitt Drive - \$91,592, from \$1,029,210 to \$1,120,801- Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2426

Item 14: Authorize an Interlocal Agreement with the Texas Department of Transportation for intersection improvements at Royal Lane/Miller Road and IH 635 - \$455,720 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2427

Item 15: Authorize the rejection of bids received for the renovation of the Dallas Convention Center Ballroom A and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2428

Item 16: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 40,500 square feet of unimproved land and approximately 22,315 square feet of land with a structure, for the McCommas Bluff Development - \$9,422 - Financing: Public/Private Partnership Funds

Councilmember Lipscomb moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2429

Item 17: Authorize deposit of a Special Commissioners' Award for the acquisition from Leroy Lott and Gwendolyn Lott, of approximately 26,988 square feet of unimproved land, for the replacement of Fire Station No. 25, located near the intersection of 56th Street and South Lancaster Road - \$95,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2430

Item 18: Authorize a lease agreement with Galt LL, L.P., for approximately 1,121 square feet of office space located at 8500 Stemmons Freeway, to be used by the Psychological Services Unit of the Police Department - \$1,262 per month - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2431

Item 19: An ordinance granting a revocable license to Don Amireh dba Moda Global Fashion, for the use of approximately 14 square feet of land, to maintain an existing aerial sign in a portion of Elm Street right-of-way near Crowdus Street - Revenue \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23620.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2432

Item 20: Authorize a twenty-four month multiple award price agreement for plumbing supplies with the lowest responsible bidders of three - APEX Supply Co., Triangle Supply and P&M Manufacturing Co. - Not to exceed \$321,150 - Financing: Current Funds (\$223,511), Water Utilities Current Funds (\$85,127), and Aviation Current Funds (\$12,512)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2433

Item 21: Authorize the purchase of truck mounted bodies and heavy equipment with the lowest responsible bidders of seven - Equipment Southwest Inc., Hi-Way Equipment Company, and RDO Equipment Company - Not to exceed \$1,462,093 - Financing: 1996 Equipment Acquisition Contractual Obligation (\$337,632), 1997 Equipment Acquisition Contractual Obligation (\$1,077,647), Current Funds (\$46,814)

The acting secretary announced that Mayor Pro Tem Poss had deferred consideration of consent agenda item 21 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted, but before the consent agenda had been considered, Mayor Pro Tem Poss stated that she had notified the city secretary in writing that she had deferred consent agenda item 21 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as part of the consent agenda.

Mayor Kirk stated that consent agenda item 21 would be considered as part of the consent agenda, there being no objection voiced to Mayor Pro Tem Poss' request.

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2434

Item 22: Authorize a twenty-four month price agreement for the rental of portable chemical toilets with the lowest responsible bidder of four - BFI Waste Systems of North America Inc. - Not to exceed \$697,974 - Financing: Current Funds (\$676,392), Water Utilities Current Funds (\$21,582)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2435

Item 23: Authorize a contract for the development of an interactive Windows-based community policing activity management system for the Police Department with Environmental Systems Research Institute, Inc., - Not to exceed \$74,795 - Financing: 1997-98 Advancing Community Policing Grant

The acting city secretary announced that the city manager had deleted agenda item 23 from the agenda in accordance with Subsection 7.1 of the City Council Rules of Procedure.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2436

Item 24: A resolution concurring in the use of RAILTRAN funds for a twelve-month price agreement for mowing and other maintenance work on the RAILTRAN Corridor, with two twelve-month renewal options at the same price - Tribal Enterprises, Inc., only bidder - Not to exceed \$80,000 per year - Financing: RAILTRAN Current Funds (in the custody of the City of Fort Worth)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2437

Item 25: Authorize a thirty-six month price agreement for securing open and vacant structures identified by Streets, Sanitation & Code Enforcement with the lowest responsible bidders of five - Herdemer Enterprises and TJW Enterprises Inc. - Not to exceed \$549,918 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2438

Item 26: Authorize the rejection of bids received for anthracite filters and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2439

Item 27: Authorize the rejection of the only bid received for a propane storage tank and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2440

Item 28: Authorize settlement of a lawsuit, styled Lee Earl Hubbard v. David Nofzinger, Cause No. 97-05793-G - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2441

Item 29: Authorize settlement of a lawsuit, styled Armando Hernandez v. Frank W. Blackburn III and City of Dallas, Cause No. 98-00434-K - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2442

Item 30: Authorize settlement of a lawsuit, styled Bennie L. McGriff v. City of Dallas, Cause No. CC-98-05177-D - Financing: Current Funds

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2443

Item 31: Authorize settlement of a claim filed by Gail E. Jones, Claim No. 95-101004059-001 -
Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2444

Item 32: Authorize settlement of a claim filed by Avis Rent A Car, Claim No. 95-101003540-001
- Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2445

Item 33: An ordinance adopting Dallas-Fort Worth International Airport Board Resolution Nos. 98-06-148 and 98-07-179, which provide for the adoption of current editions of model construction codes at the airport, with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23621.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2446

Item 34: An ordinance awarding a franchise for 10 years to Level 3 Communications L.L.C. to provide local exchange telephone services - Revenue: \$2,500,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23622.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2447

Item 35: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2448

Item 36: Authorize **(1)** an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the property because of the services and improvements in the Vickery Meadow Public Improvement District; **(2)** the approval, adoption and filing of the assessment roll with the City Secretary; **(3)** requiring the City Secretary to publish notice of a special public hearing on September 23, 1998 to receive citizen comments on the continuation of the 1998 approved assessments on property within the District; **(4)** authorizing a public hearing to be held on September 23, 1998, in accordance with Chapter 372 of the Texas Local Government Code, to receive citizen comments on the proposed property improvements exclusive of right-of-ways, to Fund the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements; and **(5)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the property because of the services and improvements in the Vickery Meadow Public Improvement District; approving, adopting and filing with the City Secretary the assessment roll - Financing: No cost consideration to the City

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2449

Item 37: Authorize **(1)** approval of the Prestonwood Public Improvement District's Service Plan for 1999; **(2)** a public hearing to be held September 23, 1998 to receive citizen comments concerning the annual assessment rate for the Prestonwood Public Improvement District ("District"), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1998-1999; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2450

Item 38: Authorize **(1)** approval of the Downtown Improvement District's Service Plan for 1999; **(2)** a public hearing to be held September 23, 1998 to receive citizen comments concerning the annual assessment rate for the Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Downtown Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Downtown Improvement District; approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 1999; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2451

Item 39: Authorize **(1)** approval of the Uptown Public Improvement District's Service Plan for 1998-1999; **(2)** a public hearing to be held September 23, 1998 to receive citizen comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(3)** consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Uptown Public Improvement District; approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1998-1999; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2452

Item 40: Authorize (1) a public hearing to be held on September 9, 1998 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 41, consisting of approximately 10 acres located at 17655 Waterview Parkway, City of Dallas, Texas, in order for the property to be eligible for commercial-industrial tax abatement; (2) an ordinance creating City of Dallas Reinvestment Zone No. 41 on September 9, 1998; and (3) a real property tax abatement agreement with ADS Alliance Data Systems, Inc. on September 9, 1998 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2453

Item 41: Authorize (1) a public hearing to be held on October 28, 1998, to consider the creation of Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, to be known as the Sports Arena TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and (2) an ordinance creating Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, at the close of the public hearing - Financing: No cost consideration to the City

Mayor Pro Tem Poss and Councilmember Blumer requested that consent agenda item 41 be considered as an individual item. Mayor Kirk stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voided to Mayor Pro Tem Poss and Councilmember Blumer's request.

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

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

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Poss abstaining)

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2454

Item 42: Authorize the assignment of the Real Property Tax Abatement Agreement, approved by City Council Resolution Number 96-3643 on November 13, 1996, between the City of Dallas and AmberJack, Ltd. to Hondo Valley, Inc. and Crow-Family Holdings, L.P. Hondo Valley, Inc. and Crow-Family Holdings, L.P. which has agreed to assume all of the terms and conditions outlined in the Agreement - Financing: No cost consideration the City

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2455

98-2456

Item 43: Hyatt-Regency Dallas Hotel Expansion

- * Authorize (1) a real property tax abatement agreement with Reunion Hotel/Tower Joint Venture for the purpose of granting a ten-year abatement of 90% of taxes on added value to the real property in relation to the expansion and renovation of the Hyatt-Regency Dallas Hotel located on Reunion Boulevard at Sports Street within City of Dallas Enterprise Zone One, City of Dallas, Texas 75201; and (2) a 100% development fee rebate to Reunion Hotel/Tower Joint Venture in an amount not to exceed \$40,000 - Revenue: First year tax revenue estimated at \$32,580. Ten-year tax revenue estimated at \$325,800. (Estimated revenue foregone for ten-year abatement \$2,932,200) - Financing: Public/Private Partnership Funds [98-2455]

Item 44: Hyatt-Regency Dallas Hotel Expansion

- * A resolution authorizing an application to the Texas Department of Economic Development (formerly Texas Department of Commerce) nominating Reunion Hotel/Tower Joint Venture, located in **City of Dallas Enterprise Zone One located on Reunion Boulevard at Sports Street, Dallas, Texas 75201**, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Not to exceed \$300 - Financing: Current Funds [98-2456]

Councilmember Blumer requested that consent agenda items 43 and 44 be considered as individual items. Mayor Kirk stated that consent agenda items 43 and 44 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Later in the meeting agenda items 43 and 44 was brought up for consideration.

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Mallory Caraway.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

Voting Yes: [10] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Forsythe Lill

Voting No: [5] Miller, Walne, Finkelman, Greyson, Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2457

Item 45: State-Thomas TIF

- * Authorize a development agreement with Post Properties, a Real Estate Investment Trust, (hereinafter "Post Properties") for the funding and construction of certain public improvements in Heights of State-Thomas Phase V-A (Block 588) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) and establish appropriations in an amount not to exceed \$1,300,000 - Financing: to be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2458

Item 46: State-Thomas TIF

- * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) to reimburse Post Properties, a Real Estate Investment Trust (hereinafter "Post Properties") for the funding and construction of certain public improvements for Heights of State-Thomas Phase V-A (Block 588) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) - Not to exceed \$1,300,000 - Financing: to be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2459

Item 47: Authorize a tangible personal property tax abatement agreement with National Data Services, Inc. and its lessor Wesco Fabrics, Inc. for the purpose of granting a three-year abatement of 75% of the taxes on tangible personal property new to the site for the retention and expansion of a mailing services and data processing company within City of Dallas Enterprise Zone One located at 9121 King Arthur Drive, Dallas, Texas 75212 - Revenue: First year tax revenue estimated at \$1,751. Three-year tax revenue estimated at \$5,254. (Estimated revenue foregone for three-year abatement \$15,760) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2460

Item 48: Authorize a contract with the Texas Department of Health for the continuation of local health services including core services for maternal and child health; community and rural health services; and services to non-Medicaid eligible clients through Title V for the period September 1, 1998 through August 31, 1999 - \$401,275 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2461

Item 49: Authorize a contract renewal with the University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel - Not to exceed \$376,660 - Financing: Current Funds

Approved as part of the consent agenda.

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2462

Item 50: Authorize a contract renewal with the University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director - Not to exceed \$117,370 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2463

Item 51: Authorize (1) a 24-month contract with Parkland Memorial Hospital for Biomedical On-Line Supervision in an amount not to exceed \$1,213,483 and (2) Interlocal Agreements with thirteen participating local governmental entities which will reimburse the City of Dallas \$533,933 (44% of the cost) (list attached) - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2464

Item 52: Authorize payment for tuition to the Dallas County Community College District for mandatory Emergency Medical Services training of Emergency Medical Technicians and Paramedics for the period October 1, 1998 through September 30, 1999 - Not to exceed \$121,850 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2465

Item 53: Authorize exercise of the first of two one-year renewal options to the contract with Lindsey Morden Claims Management, Inc., to provide third party administration of liability claims management and adjusting services for the period October 1, 1998 through September 30, 1999 - Not to exceed \$504,168 - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2466

Item 54: Approval of the Dallas-Fort Worth International Airport 1998-99 Budget - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 54 be considered as an individual item. Mayor Kirk stated that consent agenda item 54 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 54 was brought up for consideration.

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2467

Item 55: Authorize an economic development grant agreement under the Enterprise Community Grant Program for the period August 26, 1998 through December 31, 2004, with ACCION Texas, Inc. to establish and operate a Micro-lending Program in the city of Dallas - \$50,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2468

Item 56: Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 1998 through August 31, 1999 and execution of the grant agreement - \$399,716 - Financing: Texas State Library and Archives Commission Grant Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2469

Item 57: Authorize an amendment of the Interlocal Agreement with the Texas Department of Transportation for the restoration/renovation of the Automobile and Centennial Buildings at Fair Park and authorize an increase in appropriations of funds from Federal Intermodal Surface Transportation Efficiency Act - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2470

Item 58: 1998 Omnibus Appropriations Local Law Enforcement Block Grant

- * Authorize a public hearing to be held on September 9, 1998 to receive citizen comments on the 1998 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2471

Item 59: 1998 Omnibus Appropriations Local Law Enforcement Block Grant

- * Authorize the City of Dallas to apply for the 1998 Omnibus Appropriations Local Law Enforcement Block Grant from the U. S. Department of Justice, Bureau of Justice Assistance for crime prevention and improved public safety activities - Not to exceed \$4,802,002 - Financing: U. S. Department of Justice, Bureau of Justice Assistance Grant Funds not to exceed \$4,321,803) and Cash Match (not to exceed \$480,199 should the grant be awarded)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2472

Item 60: A resolution (1) authorizing a development agreement with Baylor Health Care System which is part of Baylor Health Care Enterprises for the funding and construction of certain public improvements on Hall Street from Gaston Avenue to Worth Street, (2) declaring the intent of the City of Dallas to reimburse Baylor Health Care System in an amount not to exceed \$1,000,000 and (3) the establishment of appropriations in Water Utilities Capital Construction Funds in the amount of \$40,900 - Financing: Water Utilities Capital Construction Funds (\$40,900) and Private Funds (to be reimbursed from the proceeds of the sale of 1998 General Obligation Bonds) (\$1,000,000)

Councilmember Mayes requested that consent agenda item 60 be considered as an individual item. Mayor Kirk stated that consent agenda item 60 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Mayes' request.

Later in the meeting agenda item 60 was brought up for consideration.

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 approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Mayes abstaining)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2473

Item 61: Public Hearing - Miscellaneous

A public hearing 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

The following individuals addressed the city council regarding the FY 1998-99 Operating, Capital, Grant and Trust budgets:

- Adlene Harrison, 5841 Burgundy Rd.
- Lee Simpson, 7199 Green Tree Ln., representing Municipal Library Board
- Diane Ragsdale, 2503 Martin Luther King Blvd., representing South Dallas Fair Park Coalition
- Geraldine Brown, 1623 Pine St.
- Maude Artis, 1423 Fernwood Ave.
- Molly Van Ort, 5422 W. University Blvd., representing Health and Human Service Coalition
- Lee Stevens, 4213 Stanton Blvd., Plano, representing Dallas Affordable Housing Coalition
- Elsie Risby, 2900 Dilido Rd.
- Ellen Silverman, 7333 Mimosa Ln., representing National Council of Jewish Women
- Tim Simmons, 4337 Glenwick Ln., representing Mental Health Association Assistance of Greater Dallas
- Wyldon King Fishman, 9015 Oakwind Cir., representing League of Women Voters
- Jewel Floyd, 3815 Myrtle St.
- Lee McKinney, 1108 Post Oak Ln., DeSoto, representing Southern Dallas Development Corp.
- Forrest Smith, 17619 Woods Edge Dr., representing City of Dallas Business Development Corp.
- Lara White, 2011 Pueblo St.
- Ortha McIntyre, 51635 Corrigan Ct.
- Stacey Kirvin, 4555 Kushla Ave.
- Frank Bodzin, 4816 Myerwood Ln., representing Dallas Taxpayer League Inc.
- Wesley Sims, 1403 Fernwood Ave.
- Shelia Nunley, 331 W. McVey Ave.
- Betty Washington, 1224 Fordham Rd.
- Ernestine Lee, 3513 Wendelkin St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
98-2473

August 26, 1998
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

- James Cowgill, 11357 Earlywood Dr., representing Senior Affairs Commission
- Billy Jack Ludwig, 4953 Thunder Rd.
- Marvin Bigelow, 922 W. 9th St.
- Joe Martin, 3105 Gladiolus Ln.
- Jeanette Lee, 2314 Roanoke Ave.

Councilmember Mayes moved to close the public hearing.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2474

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 62-65 was presented.

Agenda item 65 was 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 62: Zoning Case Z978-171/6521-NC(LS)

Agenda item 63: Zoning Case Z978-197/10534-SE(CG)

Agenda item 64: Zoning Case Z978-272/10611-SE(LS)

~~Agenda item 65: Zoning Case Z978-174/10525-NC(KC)~~ [Considered individually]

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

The following individual appeared to comment on cases on the consent zoning docket:

--Mike Coker, 6390 LBJ Frwy., regarding Zoning Case Z978-197/10523-SE(CG)

Mayor Kirk 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.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2475

Item 62: Zoning Case Z978-171/6521-NC(LS)

Zoning Case Z978-171/6521-NC(LS), an application for the termination of deed restrictions on property presently zoned as Planned Development District No. 335 for MU-3 Mixed Use District Uses at the southwest corner of Preston Oaks Road and Montfort Drive, and a resolution authorizing acceptance of an instrument terminating the deed restrictions.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2476

Item 63: Zoning Case Z978-197/10534-SE(CG)

Zoning Case Z978-197/10534-SE(CG), a City Plan Commission authorized hearing to determine proper zoning with consideration being given to the granting of a Special Purpose Planned Development District for residential, light industrial, commercial and retail uses on property presently zoned a CS Commercial Service District, a CS-D-1 Commercial Service-Dry District, a TH-3 (A)Townhouse District, an IM Industrial Manufacturing District, an IM-D-1 Industrial Manufacturing-Dry District, an RR Regional Retail District, a CR Community Retail District, and Planned Development District No. 376 on both sides of C.F. Hawn Freeway between Lake June Road and Buckner Boulevard.

(The city plan commission recommended approval of a Special Purpose Planned Development District, subject to conditions.)

Approved as part of the consent zoning docket.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2477

Item 64: Zoning Case Z978-272/10611-SE(LS)

Zoning Case Z978-272/10611-SE(LS), an application for and an ordinance granting an MU-2 Mixed Use District on property presently zoned an IM Industrial Manufacturing District on the northwest side of Clarence Street, northeast of King Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23623.

[Councilmember Hicks asked that the record reflect that he had voted "Yes" on the motion.]

Mayor Kirk asked the acting city secretary to reflect in the record that Councilmember Hicks had voted on the motion.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2478

Item 65: Zoning Case Z978-174/10525-NC(KC)

Councilmember Greyson requested that consent zoning docket item 65 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 65 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Greyson's request.

Later in the meeting consent zoning docket item 65 was brought up for consideration.

A public hearing was called on zoning case Z978-174/10525-NC(KC), an application for and an ordinance granting a CR Community Retail District on property presently zoned a TH-3(A) Townhouse District on the north side of Frankford Road, east of Kelly 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 Greyson moved to postpone the 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 Lipscomb and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2479

Item 66: Public Hearing - Zoning Case Z978-175/10526-NC(KC)

A public hearing was called on zoning case Z978-175/10526-NC(KC), an application for and an ordinance granting a CR Community Retail District on property presently zoned a TH-3(A) Townhouse District on the north side of Frankford Road, east of Kelly 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 Greyson 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.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2480

Item 67: 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. This application was considered by the City Council at a public hearing on August 12, 1998, and was taken under advisement until August 26, 1998, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

--Pam Connely, 901 N. Madison Ave.

Appearing in favor of the city plan commission recommendation:

--Mike Coker, 6390 LBJ Frwy.

Deputy Mayor Pro Tem Salazar moved to close the public hearing, accept the recommendation of the city plan commission, and pass the ordinance.

Motion seconded by Councilmember Lipscomb.

After discussion, Mayor Pro Tem Poss called the vote on the motion:

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

Voting No: [0]

Absent: [2] Kirk, Duncan absent when vote taken

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE No. 23624.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2481

Item 68: 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. This application was considered by the City Council at a public hearing on August 12, 1998, and was taken under advisement until August 26, 1998, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Rose Harden, 7306 Heathermore Dr.
- Shirley Alexander, 15741 Daleport Cir.

Appearing in favor of the city plan commission recommendation:

- William Cothrum, 500 S. Ervay St.
- Mark Good, 8115 North Central Expwy.
- Joyce Pickering, 15803 Ranchita Dr.

Councilmember Greyson moved to close the public hearing, accept the recommendation of the city plan commission with the following changes by adding an enrollment cap of 1,200 students for the private school use, adding D(A) Duplex District uses and development standards on Tract I, revising the off-street parking condition to include the requirement of handicapped parking and the prohibition of above-ground parking structures, changing the location of the cross walk, changing the landscaping trigger for Tract I, making certain changes to the athletic facility provisions located on Tract II, and replacing the development/landscape plan with the one submitted today with two additional changes: (1) removing the gate near the corner of Hillcrest Road and La Bosa Drive and (2) reflecting the cross walk where it currently exists

and pass the ordinance with those changes.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 23625.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2482

Item 69: Public Hearing - CERTIFICATE OF APPROPRIATENESS FOR SIGNS

A public hearing was called on consideration of an appeal of the action of the City Plan Commission on an application for a Certificate of Appropriateness for a 294 square foot illuminated, attached commercial premise sign on the northwest side of the structure located at 443 Olive Street.

(The city plan commission recommended approval of a Certificate of Appropriateness for a sign with an effective area of 144 square feet in lieu of the requested 294 square foot effective area.)

Appearing in opposition to the city plan commission recommendation:

--Kirk Williams, 5400 Renaissance Tower

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

Motion seconded by Councilmember Loza and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2483

Item 70: Public Hearing - CERTIFICATE OF APPROPRIATENESS FOR SIGNS

A public hearing was called on consideration of an appeal of the action of the City Plan Commission on an application for a Certificate of Appropriateness for a 207 square foot illuminated, attached commercial premise sign on the northwest side of the structure located at 400 Olive Street.

(The city plan commission recommended approval of a Certificate of Appropriateness for a sign with an effective area of 144 square feet in lieu of the requested 207 square foot effective area.)

Appearing in opposition to the city plan commission recommendation:

--Kirk Williams, 5400 Renaissance Tower

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

Motion seconded by Councilmember Loza and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2484

Item 71: Public Hearing - CERTIFICATE OF APPROPRIATENESS FOR SIGNS

A public hearing was called on to consideration of an appeal of the action of the City Plan Commission on an application for a Certificate of Appropriateness for a 207 square foot illuminated, attached commercial premise sign on the southeast side of the structure located at 400 Olive Street.

(The city plan commission recommended approval of a Certificate of Appropriateness for a sign with an effective area of 144 square feet in lieu of the requested 207 square foot effective area.)

Appearing in opposition to the city plan commission recommendation:

--Kirk Williams, 5400 Renaissance Tower

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

Motion seconded by Councilmember Loza and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2485

Item 72: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

There were no consideration of appointments to boards and commissions.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2486

Item 73: Proposal to consider adoption of a 65.16¢/\$100 tax rate on September 23,1998 and authorize a public hearing on September 9, 1998 to receive citizen comments on the proposed 65.16¢/\$100 tax rate - Financing: No cost consideration to the City

Councilmember Hicks moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar.

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

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.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2487

Item 74: A resolution imposing a moratorium on the acceptance of applications for building permits and certificates of occupancy for an inside commercial amusement use operating as a bingo parlor in the CR Community Retail District; directing the city manager and the city plan commission to perform appropriate analyses, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the city council regarding appropriate amendments to the zoning regulations governing an inside commercial amusement use operating as a bingo parlor in the CR Community Retail District (Mayor Pro Tem Poss, Deputy Mayor Pro Tem Salazar, and Councilmembers Walne, Mayes, Hicks, Blumer, Loza, Duncan, Finkelman, Greyson, and Forsythe Lill via Mayor Kirk)

Councilmember Walne moved to approve the resolution.

Motion seconded by Councilmember Mayes.

After discussion, Mayor Pro Tem Poss called the vote on the motion:

Voting Yes: [12] Poss, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes, Walne,
Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [1] Lipscomb
Absent: [2] Kirk, Salazar absent when vote taken

Mayor Pro Tem Poss declared the motion adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2488

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 and evaluation of candidates for appointment to the positions of City Secretary and City Attorney

-- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No.3-98-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R

--Baby Dolls Topless Saloons, Inc. d/b/a Baby Dolls Saloon-East, et. al. v. City of Dallas Cause No. 3:97-CV-1331-R (Sexually Oriented Business lawsuit)

--Derek and Brenda Wirgau v. City of Dallas, Cause No. 96-10486

--Eddie and Sharon Jackson v. City of Dallas, Cause No. 96-12951

--Legal issues regarding Addendum Item No. 7

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

--Discussion of the reappointment of municipal judges Prewitt and Gonzalez

The posted closed session was not held.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2489

Addendum addition 1: A resolution appointing Angela K. Washington as Interim City Attorney for the City of Dallas (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Councilmember Mayes.

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

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.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2490

Addendum addition 2: Authorize assignment of the 20-year lease agreement from the Animal Foundation International to The Fund for Animals, Inc. for approximately 4,000 square feet of space at 4830 Village Fair Drive, for the continued operation and maintenance of a low cost spay/neuter clinic - Financing: No cost consideration to the City

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Duncan and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2491

Addendum addition 3: Authorize an amendment to the existing lease for the Dallas Naval Air Station, with the United States of America, acting through the United States Navy, providing that the Navy may terminate the lease by giving the City a 60-day written notice - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2492

Addendum addition 4: Declare approximately 2,893 square feet of City-owned land, located near the intersection of South Akard Street and Commerce Street, unwanted and unneeded, and authorize the sale to Holtze Magnolia, LLLP, the abutting owner - Revenue: \$58,120

Councilmember Loza moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

Assigned ORDINANCE NO. 23627.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2493

Addendum addition 5: Approval of a partial release of the City's second lien on 15.09 acres of a 302 acre secured parcel located at I-20 and Bonnie View Road which is owned by LBJ Diamond Partnership and is located within the Foreign Trade Zone and Enterprise Zone Number Three, City of Dallas, Texas - Financing: No cost consideration to the City

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2494

Addendum addition 6: A resolution directing the City Manager to initiate the process to acquire professional search services to identify additional candidates for the position of City Attorney - Financing: This action has no cost consideration to the City

Councilmember Mayes moved to approve the resolution.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2495

Addendum addition 7: Authorize payment to the Employees' Retirement Fund of the City of Dallas for contributions that should have been made on behalf of certain City of Dallas employees by the City of Dallas - \$150,921 - Financing: Current Funds

During discussion, Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 551.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2496

Addendum addition 8: Authorize settlement of two lawsuits, styled Derek and Brenda Wirgau v. City of Dallas, Cause No. 96-10486; and Eddie and Sharon Jackson v. City of Dallas, Cause No. 96-12951 - Financing: Current Funds

During discussion, Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 551.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2497

Addendum addition 9: A resolution reappointing Gustavo E. Gonzales and Brenda P. Prewitt as full-time municipal court judges - Financing: No cost consideration to the City

During discussion, Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 551.071 of the Texas Government Code (Texas Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Councilmember Loza.

After discussion, Mayor Kirk called the vote on the reappointment of:

Gustavo E. Gonzales to a full time municipal court judge.

Voting Yes: [9] Kirk, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Blumer

Voting No: [6] Poss, Miller, Walne, Finkelman, Greyson, Forsythe Lill

Mayor Kirk declared the motion to reappoint Gustavo E. Gonzales to a full time municipal court judge-approved.

Brenda P. Prewitt to a full time municipal court judge.

Voting Yes: [5] Salazar, Loza, Hicks, Mallory Caraway, Lipscomb

Voting No: [10] Kirk, Poss, Miller, Duncan, Mayes, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Mayor Kirk declared the motion to reappoint Brenda P. Prewitt to a fill time municipal court judge-failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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August 26, 1998

98-2498

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).

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 26, 1998

EXHIBIT C

09/01/98 9:11 am
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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 26, 1998

98-2410

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

09/01/989:11 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 26, 1998

98-2473

Public Hearing - Miscellaneous

A public hearing 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

The following individuals addressed the city council regarding the FY 1998-99 Operating, Capital, Grant and Trust budgets:

- Adlene Harrison, 5841 Burgundy Rd.
- Lee Simpson, 7199 Green Tree Ln., representing Municipal Library Board
- Diane Ragsdale, 2503 Martin Luther King Blvd., representing South Dallas Fair Park Coalition
- Geraldine Brown, 1623 Pine St.
- Maude Artis, 1423 Fernwood Ave.
- Molly Van Ort, 5422 W. University Blvd., representing Health and Human Service Coalition
- Lee Stevens, 4213 Stanton Blvd., Plano, representing Dallas Affordable Housing Coalition
- Elsie Risby, 2900 Dilido Rd.
- Ellen Silverman, 7333 Mimosa Ln., representing National Council of Jewish Women
- Tim Simmons, 4337 Glenwick Ln., representing Mental Health Association Assistance of Greater Dallas
- Wyldon King Fishman, 9015 Oakwind Cir., representing League of Women Voters
- Jewel Floyd, 3815 Myrtle St.
- Lee McKinney, 1108 Post Oak Ln., DeSoto, representing ~~Southern Dallas Development Corp.~~ Affordable Housing Coalition
- Forrest Smith, 17619 Woods Edge Dr., representing City of Dallas Business Development Corp.
- Lara White, 2011 Pueblo St.
- Ortha McIntyre, 51635 Corrigan Ct.
- Stacey Kirvin, 4555 Kushla Ave.
- Frank Bodzin, 4816 Myerwood Ln., representing Dallas Taxpayer League Inc.
- Wesley Sims, 1403 Fernwood Ave.
- Shelia Nunley, 331 W. McVey Ave.
- Betty Washington, 1224 Fordham Rd.
- Ernestine Lee, 3513 Wendelkin St.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS