

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 9, 1998

98-2580

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

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

The meeting was called to order at 9:25 a.m.

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

The invocation was given by Dr. Jerry Howell, pastor, Destiny Christian Church and the Rev. Gerald Britt, Sr., pastor, Memorial Missionary Baptist 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 2:22 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
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.

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MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 9, 1998

EXHIBIT A

5/31/11 3:05 PM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 9, 1998

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2581

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: Alice Rollins, 10640 Steppington Dr.  
SUBJECT: Olympics

SPEAKER: Ray Hunt, 5924 Twin Coves  
SUBJECT: Economic issues

SPEAKER: Dean Ross, 1026 Cedar Hill Ave.  
SUBJECT: Unlawful citation

SPEAKER: Anthony Bond, 4109 W. Northgate, Irving  
REPRESENTING: Dallas County Community Action Committee  
SUBJECT: Housing

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Marvin Crenshaw, 5134 Malcolm X. Blvd.  
REPRESENTING: Inter Communalist Party of America  
SUBJECT: Cuba "Si" Embargo "No"

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2582

Item 1: Approval of Minutes

The city secretary stated that the minutes of the voting agenda meetings of August 12 and 26, 1998, were presented for approval as corrected by Councilmembers Finkelman and Greyson.

Councilmember Greyson moved to approve the minutes for August 12 and 26, 1998 as corrected.

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2583

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-46, was presented for consideration.

Mayor Pro Tem Poss and Councilmember Forsythe Lill requested that consent agenda item 17 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 17 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss and Councilmember Forsythe Lill's request.

Councilmember Greyson requested that consent agenda item 25 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda item 25 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson 's request.

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

Councilmember Forsythe Lill requested that consent agenda item 42 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda item 42 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill 's request.

Mayor Pro Tem Poss moved to approve all items on the consent agenda with the exception of agenda item 17 which had been deferred or deleted until the next voting agenda meeting, and agenda item 25, 34 and 42 which would be considered later in the meeting.

Motion seconded by Councilmember Mayes unanimously adopted. (Salazar absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2584

Item 2: Authorize a professional services contract with Chiang, Patel & Yerby, Inc. to provide engineering services for electrical improvements to the Southside Wastewater Treatment Plant - \$258,666 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2585

Item 3: Authorize a contract for the construction of pool improvements and renovations to include filter replacement, new stainless steel gutter, new chemical controller with associated plumbing and concrete work at Kidd Springs, Fretz and Walnut Hill Parks - Shasta Industries, Inc., lowest responsible bidder of four - \$487,500 - Financing: 1985 Bond Funds (\$108,500) and 1995 Bond Funds (\$379,000)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2586

Item 4: Authorize a contract for renovation of the maintenance building at Fair Park - Prime Construction Company, Inc., lowest responsible bidder of three - \$119,540 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2587

Item 5: Authorize a contract for the heating, ventilation and air conditioning system improvements at the Oak Cliff Municipal Center and two Public Works and Transportation storage facilities - Burden Brothers, Inc., lowest responsible bidder of four - \$635,320 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2588

Item 6: Authorize a contract for the construction of channel and levee fill improvements for the Dallas Floodway Channel Modification, Phase II - T. J. Lambrecht Construction, Inc., lowest responsible bidder of three - \$4,379,209 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2589

Item 7: Authorize (1) a contract for the construction of streetscaping and traffic signal improvements on Blackburn Avenue from Travis Street to U.S. 75 located in **Tax Increment Reinvestment Financing Zone Number Two, City of Dallas, Texas (Cityplace TIF District)** with Ed Bell Construction Company, lowest responsible bidder of two in an amount of \$936,571, (2) assignment of the construction contract to Oak Creek Partners, Ltd. for construction administration, (3) the amount of \$100,000 for signal improvements and (4) increase appropriations - \$1,036,571 - Financing: Private Funds (Advance by Cityplace Company to be reimbursed at a later date from the Cityplace TIF District Tax Increment Fund or from bonds supported by TIF revenue)

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2590

Item 8: Authorize a contract for the construction of alley paving improvements for Alley Group 95-2000 - Jeske Construction Company, lowest responsible bidder of four - \$210,330 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2591

Item 9: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Superior Street from Emmett Street to Clarendon Drive - Omega Contracting, Inc., lowest responsible bidder of five - \$388,456 - Financing: 1995 Bond Funds (\$248,781), Water Utilities Capital Construction Funds (\$139,675)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2592

Item 10: Authorize a contract for the renovation of the heating, ventilation and air conditioning system at Tommie Allen Recreation Center - Doric Building Corporation, lowest responsible bidder of three - \$53,995 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2593

Item 11: Authorize a contract for structural repairs at Singing Hills Recreation Center - Mart, Inc., lowest responsible bidder of four - \$441,950 - Financing: 1985 Bond Funds (\$250,417), 1995 Bond Funds (\$191,533)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2594

Item 12: Authorize a contract for the replacement and construction of water and wastewater mains and the rehabilitation of wastewater mains in an area bounded by Mockingbird Lane, Loop 12, I.H. 20, and Westmoreland Road - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of seven - \$2,093,844 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2595

Item 13: Authorize a contract for the replacement of water and wastewater mains in an area bounded by Forest Lane, I.H. 635, I.H. 20, and Walton Walker Boulevard and major distribution system valves - Barson Utilities, Inc., lowest responsible bidder of four - \$3,150,228 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2596

Item 14: Authorize a contract for the replacement of the solids transfer force main from southwest of Rylie Road to the Southside Wastewater Treatment Plant and related mechanical improvements at the Cadiz Street Pump Station, Central Wastewater Treatment Plant and Southside Wastewater Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of three - \$4,290,400 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2597

Item 15: Authorize an increase in the contract with Pittman Construction, Inc. for an additional ninety feet of 24-inch reinforced concrete pipe for a spillway, nine extra loads of gravel for pipe, excavation for a new trail, relocation of the volleyball court and revised grading at Emerald Lake Park - \$18,240, from \$365,613 to \$383,853 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2598

Item 16: Authorize Supplemental Agreement No. 2 to the contract with Paragon Project Resources, Inc. for testing the main drain of the pool for blockages and preparing a remedial design for the community pool at Exline Park - \$2,000, from \$47,900 to \$49,900 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2599

Item 17: Authorize Supplemental Agreement No. 1 to the contract with Jones & Boyd, Inc. to provide engineering services for safety improvements to the northwest bank of White Rock Creek Channel between the White Rock Lake Spillway and Garland Road - \$29,500, from \$582,945 to \$612,445 - Financing: Water Utilities Capital Construction Funds

The city secretary announced that Mayor Pro Tem Poss and Councilmember Forsythe Lill had deferred consideration of consent agenda item 17 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 17 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 17 would be considered as part of the consent agenda, there being no objection voiced to Mayor Pro Tem Poss' request.

Later in the meeting agenda item 17 was brought up for consideration.

Mayor Pro Tem Poss moved approval of the item and to instruct the city manager to prepare a preliminary design for review by the affected councilmembers and to hold a public meeting to solicit input from concerned citizens and special interest groups prior to preparation of the final plans and specifications.

Motion seconded by Councilmember Mayes.

Councilmember Forsythe Lill asked Mayor Pro Tem Poss if she would accept a friendly amendment to add after the word special interest group, the Park Board.

Mayor Pro Tem Poss accepted the amendment as part of her motion. Councilmember Mayes who seconded the original motion, also accepted the amendment. (Salazar absent)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

September 9, 1998

98-2600

Item 18: Authorize an Interlocal Agreement with the Texas Department of Transportation to allow the City to borrow 6,000 linear feet of concrete traffic barrier to facilitate environmental remediation at the Downtown Sports Arena Development Project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2601

Item 19: Authorize an agreement with the North Texas Tollway Authority for the relocation and appurtenance adjustments of the City of Dallas water and wastewater mains in conflict with the construction of the President George Bush Turnpike (S.H. 190) and the improvements to the Dallas North Tollway - 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

September 9, 1998

98-2602

Item 20: Authorize acquisition of individual avigation easements over 9 residential properties above approximately 1 acre of land located in the City of Irving, Texas for the D-FW International Airport Expansion project - \$187,000 (\$89,760 in easement acquisition payments and \$97,240 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.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2603

Item 21: An ordinance abandoning a portion of a common area access and fire lane easement to Creekwood Property Corporation, the abutting owner, containing approximately 842 square feet of land, located near the intersection of Woodside and Allen Streets, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23628.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2604

Item 22: An ordinance abandoning a portion of Caroline Street to Akard Place Joint Venture, the abutting owner, containing approximately 15,215 square feet of land, located between Cedar Springs Road and Ashland Street, and authorizing the quitclaim - Revenue: \$258,655 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23629.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2605

Item 23: An ordinance granting a private license to the Federal Reserve Bank of Dallas for the use of approximately 2,191 square feet of land, to install and maintain landscaping and security bollards in a portion of Pearl Street right-of-way near its intersection with Woodall Rodgers Freeway access road - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23630.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2606

Item 24: Authorize a 30-year lease agreement, with a 10-year renewal option, with 2218 Bryan Street, Ltd. for the use of approximately 1,983 square feet of City-owned land to construct, utilize and maintain an access driveway, landscaping and related improvements, located at Pearl Street near its intersection with Bryan Street - Revenue: \$7,932 annually

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2607

Item 25: Authorize Supplemental Agreement No. 6 to the City/DART Master Interlocal Agreement which provides for DART to use approximately 31,862 square feet of City-owned land to design, construct and maintain a landscaped walkway and sculpture garden along Pearl Street near its intersection with Bryan Street - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 25 be considered as an individual item. Mayor Kirk stated that consent agenda item 25 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 25 was brought up for consideration.

Councilmember Greyson moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2608

Item 26: Authorize a thirty-six month multiple award price agreement for parts and labor for the repair of electric motors with the lowest responsible bidders - Shermco Industries, Inc., Brandon & Clark, Inc. and Carl Pons Electric Motors Service - Not to exceed \$1,882,431 - Financing: Current Funds (\$128,822), Water Utilities Current Funds (\$1,753,609)

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2609

Item 27: Authorize the purchase of computer equipment and software with the lowest responsible bidder of twenty-one - Global Combined Technologies, Inc. - Not to exceed \$93,787 - Financing: Advancing Community Policing Grant Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2610

Item 28: Authorize the purchase and installation of Cisco Router/Switch Equipment with the lowest responsible bidder of five - CompuCom Systems, Inc. - Not to exceed \$249,285 - Financing: 1996-97 Local Law Enforcement Block Grant Funds (\$248,942) and Texas Higher Education Coordinating Board Funds (\$343)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2611

Item 29: Authorize a twelve month multiple award price agreement for computer paper and forms with the lowest responsible bidders of three - OEI Business Forms and Berndt Business Forms, Inc. - Not to exceed \$361,809 - Financing: Current Funds (\$357,313) Water Utilities Current Funds (\$4,496)

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2612

Item 30: Authorize settlement of a lawsuit, styled Isidro Bello v. City of Dallas and Patrick Martinez, Cause No. cc-98-2123-c - Financing: Current Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2613

Item 31: Authorize settlement of a lawsuit, styled Bella Alvarado, Maria Alvarado, Braulio Alvarado, Individually and as Next Friend of His Minor Child, Raul Alvarado v. City of Dallas and Michael Joseph Smith, Cause No. 96-09920-H - Financing: Current Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2614

Item 32: Authorize settlement of a lawsuit, styled David Gomez v. City of Dallas and Mebrahtu Kidane, Cause No. cc-97-1445-e - Financing: Current Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2615

Item 33: Authorize settlement of a lawsuit, styled Dallas Telco Federal Credit Union v. City of Dallas, Cause No. cc-97-2177-e - Financing: Current Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2616

Item 34: An ordinance adding Chapter 33 to the Dallas City Code to prohibit a personal care facility from operating in the city without a state license; to apply city health, safety, and construction standards to a personal care facility; to require violations of personal care facility regulations to be reported to the Texas Department of Human Services; and to provide for injunctions and civil and criminal penalties for violations - Financing: No cost consideration to the City

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

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

Councilmember Finkelman moved to approve the item.

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

Assigned ORDINANCE NO. 23631.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2617

Item 35: Authorize the execution of the Texas Local Government Investment Pool Participation Agreement and investment of City funds in TexPool - 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

September 9, 1998

98-2618

Item 36: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2619

Item 37: Authorize a professional services contract with the City of Dallas Business Development Corporation for a term of one year with the City of Dallas for marketing and promotion of industrial and business growth and development in Dallas in an amount not to exceed \$523,120 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2620

Item 38: Authorize a contract with the Texas Department of Health for the continuation of the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 1998 through September 30, 1999 - \$5,749,920 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2621

Item 39: Authorize a contract with the Texas Department of Health to continue the operation of a training center and clinic for the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 1998 through September 30, 1999 - \$99,288 - 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

September 9, 1998

98-2622

Item 40: Authorize a personal services contract with Barbara T. McCall Associates, Inc. for the provision of federal legislative information for the City of Dallas from October 1, 1998 through September 30, 1999 - Not to exceed \$130,000 - Financing: Current Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2623

Item 41: Authorize acceptance of the Identification of Violent Offenders Through Image Enhancement/5 grant from the Office of the Governor, Criminal Justice Division in the amount of \$13,625, a local match in the amount of \$53,433, and execution of the grant agreement - \$67,058 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$13,625) and Current Funds (\$53,433 subject to appropriations)

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2624

Item 42: Authorize acceptance of the Sex Offender Registration Compliance Program/3 grant from the Office of the Governor, Criminal Justice Division in the amount of \$45,326, a local match in the amount of \$29,625, and execution of the grant agreement - \$74,951 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$45,326) and Current Funds (\$29,625 subject to appropriations)

Councilmember Forsythe Lill requested that consent agenda item 42 be considered as an individual item. Mayor Kirk stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting agenda item 42 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted. (Salazar absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2625

Item 43: Authorize acceptance of the Sexual Offender Apprehension Program/2 grant from the Office of the Governor, Criminal Justice Division in the amount of \$234,061, a local match in the amount of \$57,369, and execution of the grant agreement - \$291,430 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$234,061) and Current Funds (\$57,369 subject to appropriations)

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2626

Item 44: Authorize a contract with the North Central Texas Council of Governments to provide Basic, Intermediate, and Advanced Peace Officer training for Reserve Recruit candidates from the Dallas Police Department - \$18,000 - Financing: Current Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2627

Item 45: Authorize a relocation payment to Millwee Outdoor Advertising whose outdoor advertising sign was displaced by City acquisition activities in conjunction with the Trinity Express Commuter Rail Project between the Cities of Dallas and Fort Worth in an amount not to exceed \$12,600 - Financing: RAILTRAN Current Funds

Approved as part of the consent agenda.

5/31/11 3:05 PM  
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2628

Item 46: An ordinance amending Chapter 7A of the Dallas City Code to create a presumption that the person identified in a notice illegally posted to any lamp post, utility pole, telephone pole, cellular telephone pole, or tree located on public right-of-way or other public property, or to any public structure or building, is criminally responsible for the illegal placement or display of the notice, with certain defenses - Financing: No cost consideration to the City

Councilmember Greyson moved to pass the ordinance.

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

Assigned ORDINANCE NO. 23632.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2629

Public Hearing - **1998-99 Property Tax Rate**

- Item 47:           \*     A public hearing to receive citizen comments on the proposed 65.16¢/\$100 valuation property tax rate for the 1998-99 fiscal year - Financing: No cost consideration to the City
- Item 48:           \*     Notice of vote on the FY 1998-99 property tax rate that will result in an increase in total tax revenues at the September 23, 1998 Council meeting in the Council Chambers scheduled to begin at 9:00 a.m. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the property tax rate:

- Billy Jack Ludwig, 4953 Thunder Rd.
- Frank Bodzin, 4816 Myerwood Ln.
- Graciela Aleman, 2219 Alabama Ave.
- Joe Martin, 3105 Gladiolus Ln.

Mayor Pro Tem Poss moved to close the public hearing.

Motion seconded by Councilmember Walne and unanimously adopted. (Salazar absent; Mayes absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2630

98-2631

98-2632

Item 49: Public Hearing - City of Dallas Reinvestment Zone No. 41

- \* A public hearing to receive citizen comments concerning the creation of a reinvestment zone for commercial-industrial tax abatement, to be known as **City of Dallas Reinvestment Zone No. 41**, consisting of approximately 10 acres located at **17655 Waterview Parkway, Dallas, Texas**, for the purpose of granting a tax abatement on the added value to the real property to ADS Alliance Data Systems, Inc. and its lessor Opus South Corporation - Financing: No cost consideration to the City [98-2630]

Item 50: Public Hearing - City of Dallas Reinvestment Zone No. 41

- \* An ordinance designating property located at **17655 Waterview Parkway, Dallas, Texas**, consisting of approximately 10 acres, as **City of Dallas Reinvestment Zone No. 41**, for commercial-industrial tax abatement for the purpose of granting real property tax abatement to ADS Alliance Data Systems, Inc. and its lessor Opus South Corporation, establishing the boundaries of the Reinvestment Zone, and providing for an effective date - Financing: No cost consideration to the City [98-2631]

Item 51: Public Hearing - City of Dallas Reinvestment Zone No. 41

- \* Authorize a real property tax abatement agreement with ADS Alliance Data Systems, Inc. and its lessor Opus South Corporation for the purpose of granting a five-year abatement of 25% of the taxes on the added value to the real property in relation to the relocation and expansion of its headquarters facility located within **City of Dallas Reinvestment Zone No. 41**, consisting of approximately 10 acres, located at **17655 Waterview Parkway, Dallas, Texas** - Revenue: First year tax revenue estimated at \$43,983. Five-year tax revenue estimated at \$219,915 (Estimated revenue foregone for five-year real property abatement \$73,305) - Financing: No cost consideration to the City [98-2632]

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Councilmember Greyson moved to close the public hearing, pass the ordinance and grant the tax abatement.

Motion seconded by Councilmember Lipscomb.

After discussion, Mayor Kirk called the vote on the motion and announced that council approval of the ordinance and abatement required the favorable vote of three-fourths of all members of the council:

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2633

Item 52: Public Hearing

A public hearing was called to receive citizen comments on the 1998 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City

No one addressed the city council regarding the 1998 Omnibus Appropriations Local Law Enforcement Block Grant.

Councilmember Lipscomb moved to close the public hearing.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2634

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 53-60 was presented.

Agenda item 55 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 53: Zoning Case Z978-190/9675-NW(EM)
- Agenda item 54: Zoning Case Z978-278/1457-SE(PN)
- ~~Agenda item 55: Zoning Case Z978-283/6593-SE(SS) [Considered individually]~~
- Agenda item 56: Zoning Case Z978-285/8855-SE(SS)
- Agenda item 57: Zoning Case Z978-289/10626-NW(ML)
- Agenda item 58: Zoning Case Z978-281/8222-NE(EM)
- Agenda item 59: Zoning Case Z978-288/10622-C(EM)
- Agenda item 60: Zoning Case Z978-258/10599-C(ML)

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

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

Councilmember Lipscomb moved to close the public hearing, accept the recommendation of the city plan commission in each consent zoning docket case and pass all ordinances and approve all resolutions presented as part of the consent zoning docket.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2635

Item 53: Zoning Case Z978-190/9675-NW(EM)

Zoning Case Z978-190/9675-NW(EM), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-5(A) Single Family District at the southeast corner of Kraft Street and Puget Street.

(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. 23634.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2636

Item 54: Zoning Case Z978-278/1457-SE(PN)

Zoning Case Z978-278/1457-SE(PN), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-5(A) Single Family District on the southeast side of Silverhill Drive, northeast of Bonnie View Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23635.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2637

Item 55: Zoning Case Z978-283/6593-SE(SS)

The consent zoning docket, consisting of agenda items 53-60 was presented.

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

Later in the meeting zoning consent docket item 55 was brought up for consideration.

A public hearing was called on zoning case Z978-283/6593-SE(SS), an application for and an ordinance granting an MF-2(SAH) Multifamily (Standard Affordable Housing) District with retention of the Dry Overlay District on property presently zoned an RR-D-1 Regional Retail-Dry District, and an application for and an ordinance granting an amendment to Specific Use Permit No. 923 for an Establishment for the Care of Alcoholic, Narcotic and Psychiatric Patients by deleting the Tract A portion of the property from the boundaries of the Specific Use Permit on the north side of Samuell Boulevard, east of Grove Hill Road.

(The city plan commission recommended approval, with the retention of the Dry Overlay District.)

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

Appearing in favor of the city plan commission recommendation:

Kirk Williams, 5400 Renaissance Tower, representing the applicant

Councilmember Duncan moved to postpone consideration of the application until the September 23, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

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

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

September 9, 1998

98-2638

Item 56: Zoning Case Z978-285/8855-SE(SS)

Zoning Case Z978-285/8855-SE(SS), an application for and an ordinance granting a Specific Use Permit for a Community Service Center use on property presently zoned an R-7.5(A) Single Family District and an R-5(A) Single Family District on the southwest side of Veterans Drive, southeast of Ledbetter Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23636.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2639

Item 57: Zoning Case Z978-289/10626-NW(ML)

Zoning Case Z978-289/10626-NW(ML), an application for and an ordinance granting an MU-3 Mixed Use District on property presently zoned an IM Industrial Manufacturing District at the east corner of Forest Park Road and Stutz Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23637.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2640

Item 58: Zoning Case Z978-281/8222-NE(EM)

Zoning Case Z978-281/8222-NE(EM), an application for and an ordinance granting a Planned Development District for a Country Club with Private Membership on property presently zoned an R-10(A) Single Family District and an R-7.5 (A) Single Family District with Specific Use Permit No. 217 for a Country Club use, and an application for and an ordinance granting the termination of Specific Use Permit No. 217 on property located south of Gaston Avenue and east of Abrams Road.

(The city plan commission recommended approval of a Planned Development District, subject to a development plan, landscape plan, and conditions, and approval of the termination of Specific Use Permit No. 217.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23638 and ORDINANCE NO. 23639.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2641

Item 59: Zoning Case Z978-288/10622-C(EM)

Zoning Case Z978-288/10622-C(EM), an application for and an ordinance granting a Planned Development Subdistrict for Single Family Uses with retention of the Dry Overlay District on property presently zoned an MF-3-D Multiple Family-Dry Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast side of Gillespie Avenue between Sale Street and Hood Street.

(The city plan commission recommended approval with retention of the Dry Overlay District, subject to a development plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23640.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2642

Item 60: Zoning Case Z978-258/10599-C(ML)

Zoning Case Z978-258/10599-C(ML), an application for an LC Light Commercial Subdistrict on property presently zoned an O-2-D Office- Dry Subdistrict within Planned Development District 193, the Oak Lawn Special Purpose District, at the west corner of Lemmon Avenue and Noble Street, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning including property located at the south corner of Lemmon Avenue and McKinney Avenue, and an ordinance granting an LC Light Commercial Subdistrict with retention of the Dry Overlay.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23641.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2643

Item 61: Public Hearing - Zoning Case Z978-268/3552-C(RB)

A public hearing was called on zoning case Z978-268/3552-C(RB), an application for and an ordinance granting an amendment to Planned Development District No. 77 for a Hospital including an Auditorium to amend the development plan and conditions and to expand the boundaries of Planned Development District No. 77 to include property presently zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and to convert the Planned Development District from Chapter 51 regulations to Chapter 51A regulations, and an application for and an ordinance granting the termination of Specific Use Permit No. 926 for a Private recreation center, club or area on property at the south corner of Maple Avenue and Oak Lawn Avenue and an ordinance amending Ordinance No. 21859 (the Oak Lawn Special Purpose District) by replacing Exhibit A of that ordinance.

(The city plan commission recommended approval, subject to a maximum floor area of 856,920 square feet.)

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

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

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

Assigned ORDINANCE NO. 23642, ORDINANCE NO. 23643 and ORDINANCE NO. 23644.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2644

Item 62: Public Hearing - Zoning Case Z978-282/10627-SW(SS)

A public hearing was called on zoning case Z978-282/10627-SW(SS), an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District Uses, a Child-care facility and a Church Use on property presently zoned an R-7.5(A) Single Family District on the southwest side of Denley Drive, southeast of Adelaide Drive.

(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 Hicks moved to close the public hearing, accept the recommendation of the city plan commission recommendation, subject to amending the off street parking conditions providing that the property will be considered one lot, and pass the ordinance.

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

Assigned ORDINANCE NO. 23645.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2645

Item 63: Public Hearing - Zoning Case Z978-287/10623-SE(EM)

A public hearing was called on zoning case Z978-287/10623-SE(EM), an application for a CR Community Retail District on property presently zoned an R-7.5(A) Single Family District on the northeast side of Lancaster Road between Morgan Drive and Mojave Drive, and an ordinance granting an NS(A) Neighborhood Service District on a portion of the area of request.

(The city plan commission recommended denial of a CR Community Retail District, but approval of an NS(A) Neighborhood Service District on Lots 15-18 on the Lancaster Road frontage, and denial of any change of zoning on Lot 19 on the Mojave Drive frontage.

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

Councilmember Lipscomb 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. (Salazar absent)

Assigned ORDINANCE NO. 23646.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2646

Item 64: Public Hearing - Zoning Case Z978-160/10222-NW(RB)

A public hearing was called on zoning case Z978-160/10222-NW(RB), an application for and an ordinance granting a Specific Use Permit for a Commercial amusement (inside) use for a dance hall on property presently zoned a CR Community Retail District at the northeast corner of Bachman Drive & Ovella Avenue.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2647

Item 65: Public Hearing - Zoning Case Z978-331/6480-SW(LS)

A public hearing was called on zoning case Z978-331/6480-SW(LS), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned as Planned Development District No. 187 for Single Family and Multiple Family Residential Uses, Office Uses and Retail Uses on property involving the Mountain Creek Community Area located north of Interstate 20 between Spur 408 and Mountain Creek Parkway, and also located on the south side of Interstate 20 between Clark Road and FM 1382.

(The city plan commission recommended approval.)

Deleted on the addendum to the agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2648

Item 66: Public Hearing - Zoning Case Z978-174/10525-NC(KC)

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. This application was considered by the City Council at a public hearing on August 26, 1998, and was taken under advisement until September 9, 1998, with the public hearing open.)

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

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

Motion seconded by Councilmember Hicks and unanimously adopted. (Salazar absent)

Assigned ORDINANCE NO. 23647.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2649

Item 67: 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. This application was considered by the City Council at a public hearing on August 26, 1998, and was taken under advisement until September 9, 1998, with the public hearing open.)

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

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Salazar absent)

Assigned ORDINANCE No. 23648.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2650

Item 68: 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. This application was considered by the City Council at a public hearing on August 12, 1998, and was taken under advisement until September 9, 1998, with the public hearing open.)

Appearing in opposition of the city plan commission recommendation:

Willie Cothrum, 500 S Ervay St., representing the applicant

Appearing in favor of the city plan commission recommendation:

Kathy R. Farrington, 5755 Arlington Park Dr.  
Chong Succar, 3308 Inwood Rd.

Councilmember Mallory Caraway moved to postpone consideration of the application until the September 23, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2651

Item 69: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The city secretary distributed a report showing boards and commissions nominations for the 1997-99 board term, updated through September 9, 1998.

The 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.

Councilmembers Hicks and Lipscomb moved to appoint Debra Wolens as vice-chair of the Community Development Commission.

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

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

98-2651            Board Officers

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2652

Item 70: First reading of the appropriation ordinances for the proposed FY 1998-99 City of Dallas Operating, Grants and Trusts and Capital Budgets

Mayor Pro Tem Poss moved to approve the item.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2653

Item 71: Authorize a variance, pursuant to Texas Alcoholic Beverage Code section 109.33, for property at 1121 South Haskell Avenue from enforcement of the alcohol-free zone created by Resolution No. 960247 Harris Elementary School at 4212 East Grand Avenue to permit the renewal of Wine and Beer Retailer Permit and renewal of Retail Dealer's On-Premise Late Hours License for 1121 South Haskell Avenue d/b/a Club Nocturno El Paraiso - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2654

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 position of City Secretary

The posted closed session was not held.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2655

Addendum addition 1: A resolution endorsing the bid committee; authorizing the bid committee to pursue the City's bid as a United States bid city for the 2012 Olympic Games; approving the execution of the Bid Committee Agreement by the bid committee; and acknowledging the United States Olympic Committee expectations and requirements regarding governmental participation - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the resolution.

Motion seconded by Councilmember Lipscomb.

Councilmember Blumer asked Mayor Kirk, as the originator of the resolution, if he would accept a friendly amendment to Mayor Pro Tem Poss' motion to add a new Whereas Clause second to the last one to read as follows:

WHEREAS, the private sector, with the support and gratitude of the City Council, has expressed its intent to assume the financial responsibility associated with obtaining the bid and hosting the Olympic Games; and

add a new Section 3, and renumber accordingly, to read as follows:

Section 3. That any resources allocated by the City of Dallas, with respect to both finances and city staff time, shall be minimal.

Mayor Kirk accepted the amendment as part of Mayor Pro Tem Poss' motion.  
Councilmember Lipscomb, who seconded the original motion, also accepted the amendment.

Councilmember Duncan asked Mayor Kirk if he would accept two friendly amendments to Mayor Pro Tem Poss' motion to add a new Section 4 and a new Section 5, and renumber accordingly, to read as follows:

Section 4. That prior to the City of Dallas incurring any financial obligation with respect to the 21012 Olympic Games or the 2012 Olympic bid process, the City of Dallas will be required to enter into an interlocal agreement with all participating entities, pursuant to which each participating entity shall assume and be unconditionally responsible for their proportionate share of the City of Dallas' financial obligation being incurred (such proportionate share to be determined by mutual agreement of Dallas and participating entities). A "participating entity" is any governmental entity which

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submits a proposal for, or secures, a venue in connection with the 2012 Olympic games within its jurisdictional limits, or (ii) is represented, directly or indirectly, through membership on the bid committee.

Section 5: That no governmental entity which has filed litigation against the City of Dallas shall be represented, directly or indirectly, on the bid committee or be permitted to participate in any manner in the City of Dallas' bid for the 2012 Olympic Games, so long as such litigation is pending.

Mayor Kirk stated that as the originator of the resolution, he would not accept the amendment as a part of Mayor Pro Tem Poss' motion.

After discussion, Mayor Kirk called the vote on Section 4 of Councilmember Duncan's motion:

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

Mayor Kirk declared the motion failed.

Mayor Kirk called the vote on Section 5 of Councilmember Duncan's motion:

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

Mayor Kirk declared the motion failed.

Councilmember Miller asked Mayor Kirk if he would accept a friendly amendment to Mayor Pro Tem Poss' motion to add that the city's bid for the 2012 Olympic Games will not delay, expedite, or in any way alter any existing city or city-endorsed project unless there is a vote taken by the full Dallas City Council.

Mayor Kirk accepted the amendment as part of Mayor Pro Tem Poss' motion.  
Councilmember Lipscomb, who seconded the original motion, also accepted the amendment.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

After discussion, Mayor Kirk called the vote on Councilmember Miller's motion as modified by the friendly amendment.

Mayor Kirk declared the motion as modified by the friendly amendments, unanimously adopted.  
(Salazar absent)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2656

Addendum addition 2: A resolution appointing Shirley Acy as City Secretary for the City of Dallas

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Councilmember Duncan and unanimously adopted. (Salazar absent; Greyson absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2657

Addendum addition 3: A resolution recommending that the Texas Historical Commission approve the Foundation for Women's Resources' conceptual designs for the development of The Women's Museum: An Institute for the Future, and authorizing hazardous waste abatement, window restoration and/or replacements to be determined by a future physical survey, demolition and replacement of the roof deck, and demolition of interior areas (including the remaining sections of the wing walls and light coves) (Mayor Pro Tem Poss, Councilmembers Loza, Walne, Mallory Caraway, Blumer, Finkelman via Mayor Kirk)

Councilmember Mayes moved to suspend the rules in accordance with Section 10.1 of the City Council Rules of Procedure in order to consider addendum addition 3.

Motion seconded by Mayor Pro Tem Poss.

Mayor Kirk called the vote on the motion to suspend the rules:

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

Mayor Kirk announced that as two-thirds of all of the members of the council had voted to suspend the rules, and that addendum addition could be considered.

Councilmember Mayes moved to approve the resolution.

Motion seconded by Mayor Pro Tem Poss.

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

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September 9, 1998

98-2658

Addendum addition 4: Authorize the purchase of a vehicle tracking system for Code Enforcement vehicles - Airtouch Teletrac dba TELETRAC, sole source - Not to exceed \$117,406 - Financing: Current Funds (\$52,700), 1998-99 Current Funds (\$64,706 subject to appropriations)

The city secretary announced that Councilmember Lipscomb had deferred consideration of addendum addition 4 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 Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred addendum addition 4 until the next voting agenda meeting, but that he wished to withdraw the deferral and consider the item as an individual item.

Mayor Kirk stated that addendum addition 4 would be considered later in the meeting, there being no objection voiced to Councilmember Lipscomb's request.

Later in the meeting, addendum addition 4 was brought up for consideration.

Councilmember Lipscomb moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Salazar absent)

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2659

Addendum addition 5: A resolution authorizing the City of Dallas to participate in the ICMA International Resource Cities Program and partner with and provide technical support to the City of Asuncion, the capital of Paraguay -  
Financing: No cost consideration to the City

Councilmember Miller moved to approve the resolution.

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

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 9, 1998

98-2660

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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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, SEPTEMBER 9, 1998

EXHIBIT C

5/31/11 3:05 PM  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS