

"AMENDED"
MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 23, 1998

98-2700

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

The invocation was given by the Rev. Ronald Crawford, pastor, Lakewood Assembly of God.

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 3:40 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.

9/29/98 11:25 pm
D:\98MINCC092398AMENDED.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 23, 1998

EXHIBIT A

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 23, 1998

EXHIBIT B

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2701

CITIZEN SPEAKERS

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

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Billy Jack Ludwig, 4953 Thunder Rd.
SUBJECT: New police headquarters

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

SPEAKER: Richard Lopez, 1215 Lonsdale Ave.
SUBJECT: Affordable Housing

SPEAKER: Graciela Aleman, 2219 Alabama St.
REPRESENTING: Hispanic Association Real Estate Professionals
SUBJECT: \$200,000

SPEAKER: Jesse Diaz, 8127 Bruton Rd.
REPRESENTING: LULAC
SUBJECT: Housing

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Dennis Sorber, 5035 Voyager Dr.
REPRESENTING: Redbird Airmotive
SUBJECT: Redbird Airport Development

SPEAKER: Brenda Willems, 2904 Regal Rd., Plano
REPRESENTING: Greater Dallas Association of Realtors
SUBJECT: Paint the Town Day

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
98-2701

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

SPEAKER: Bob Campbell, 2601 Las Palmas, Plano
REPRESENTING: Redbird Airmotive
SUBJECT: Redbird Airport Development

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
SUBJECT: Health care

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2702

Item 1: Approval of Minutes

The city secretary stated that the minutes of the voting agenda meeting of September 9, 1998, were presented for approval.

Councilmember Loza moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2703

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-50, was presented for consideration.

The city secretary announced that her office had received written notice from the city manager that consent agenda item 20 had been deleted until the next voting agenda meeting and that notice of that deleted item had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Mayor Pro Tem Poss moved to approve all items on the consent agenda with the exception of agenda item 20 which had been deleted.

Motion seconded by Councilmember Mayes and unanimously adopted.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2704

Item 2: Authorize a professional services contract with Pacheco Koch Consulting Engineers for the design of Davis/Bishop Area landscaping, lighting, and parking, water and wastewater main improvements - \$120,260 - Financing: 1997-98 Community Development Grant Funds (\$94,860), Water Utilities Capital Construction Funds (\$25,400)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2705

Item 3: Authorize a professional services contract with Camp Dresser & McKee, Inc. for the clarifier and mechanical improvements at Southside Wastewater Treatment Plant - \$1,716,000 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2706

Item 4: Authorize a professional services contract with Huitt-Zollars, Inc. to provide engineering services for a water main in Walnut Hill Lane from Denton Drive to Gaywood Road - \$459,205 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2707

Item 5: Authorize a professional services contract with Chiang, Patel & Yerby, Inc. to provide engineering services for the update of the Dallas Long Range Water Supply Plan - \$799,574 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2708

Item 6: Authorize a professional services contract with Wendy Lopez & Associates, Inc. to provide engineering services for the replacement or rehabilitation of wastewater mains and replacement of water mains located approximately in an area bounded by Illinois Avenue, I.H. 45, I.H. 20, and I.H. 35 - \$1,049,590 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2709

Item 7: Authorize a contract for the renovation of seventeen existing City public buildings for compliance with the Americans with Disabilities Act (list attached) - K C Construction Services, Inc., lowest responsible bidder of two - \$581,292 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2710

Item 8: Authorize a contract for the construction of Lisbon Area B drainage improvements - C. D. Pugsley, Inc., lowest responsible bidder of two - \$1,693,264 - Financing: Section 108 Notes (\$1,569,104), 1985 Bond Funds (\$124,160)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2711

Item 9:. Authorize a contract for the reconstruction of alley paving improvements on Alley Group 97-01 - Camino Construction, Inc., lowest responsible bidder of four - \$434,693 - Financing: 1995 Bond Funds (\$280,607), Water Utilities Capital Construction Funds (\$154,086)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2712

Item 10: Authorize a contract for the renovation of Ballroom A at the Dallas Convention Center
- Meridian Commercial, Inc., lowest responsible bidder of three - \$706,959 -
Financing: 1992 Convention Center Expansion Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2713

Item 11: Authorize a contract for paving cut repairs at various locations throughout the City of Dallas - Texas Standard Construction, Inc., only bidder - \$1,687,949 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2714

Item 12: Authorize (1) application and acceptance of Federal Aviation Administration Airport Improvement Program Grant funds in an amount not to exceed \$841,919 (\$655,169 for construction and \$186,750 for engineering design and engineering construction management services), and (2) a contract for the replacement of the perimeter fence at Dallas Love Field Airport - A-1 American Fence, Inc., lowest responsible bidder of three - \$873,559 - Financing: FAA Airport Improvement Program Grant Funds (75%) (\$655,169), Aviation Capital Construction Funds (25%) (\$218,390)

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2715

Item 13: Authorize (1) application and acceptance of Federal Aviation Administration Airport Improvement Program Grant funds in the amount not to exceed \$3,467,995 and (2) authorize a contract for the rehabilitation of airfield lighting and reconstruction of electrical vaults at the Dallas Love Field Airport - Walker Engineering, Inc., lowest responsible bidder of three - \$4,623,993 - Financing: FAA Airport Improvement Program Grant Funds (75%) (\$3,467,995), Aviation Capital Construction Funds (25%) (\$1,155,998)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2716

Item 14: Authorize (1) application and acceptance of Federal Aviation Administration Airport Improvement Program Grant funds in the amount not to exceed \$325,523 (which is 75% of the total project cost of \$434,030) and (2) Supplemental Agreement No. 1 to the contract with PSA Engineering, Inc. to provide engineering services and construction management for the reconstruction of airfield lighting and electrical vaults at the Dallas Love Field Airport - \$270,250, from \$163,780 to \$434,030 - Financing: FAA Airport Improvement Program Grant Funds (75%) (\$202,688), Aviation Capital Construction Funds (25%) (\$67,562)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2717

Item 15: Authorize Supplemental Agreement No. 2 to the contract with DAL-TECH Engineering, Inc. for engineering design services for incorporation of landscape features on Colorado Boulevard from Blaylock Drive to IH 35 - \$43,875, from \$91,632 to \$135,507 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2718

Item 16: Authorize the renovation of the Westmoreland Heights Shopping Center with the lowest responsible bidder of two - Mart, Inc. - Not to exceed \$290,432 - Financing: 1995-96 Community Development Grant Funds (\$290,000) and 1994-95 Community Development Grant Funds (\$432)

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2719

Item 17: Authorize a settlement in lieu of proceeding to a jury trial for acquisition of approximately 15,071 square feet of land, improved with an outdoor advertising billboard, from Stephen Michael Millwee and Melvin W. Jackson, for the Trinity Express Commuter Rail Project on the RAILTRAN Corridor near the intersection of Oak Lawn Avenue and Alamo Street - \$17,300 in addition to the previously authorized \$37,700 - Financing: RAILTRAN Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2720

Item 18: Authorize the City Manager to execute a lease of land and facilities at Love Field Airport with Hertz Corporation which will grant an approximately three and one quarter year primary term lease to run coterminous with Hertz current car rental concession contract at Love Field and one five-year option to extend the lease - Revenue: \$35,160 annual rent plus \$1,000,000 on improvements to the leased premises

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2721

Item 19: Authorize the City Manager to execute a lease of land and facilities at Love Field Airport with Avis Rent A Car System, Inc. which will grant approximately a three and one quarter year primary term lease to run coterminous with Avis current car rental concession contract at Love Field and one five-year option to extend the lease - Revenue: \$53,016 annual rent plus \$125,000 on improvements to the leased premises

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2722

Item 20: Authorize a five year lease, to include an extension of the lease for an additional five years at the sole discretion of the City, for approximately 6.12 acres of land improved with a one story office building, multiple automobile canopy sheds and asphalt paving, with Ampco System Parking, for use as an automobile valet parking facility for airport customers at Love Field Airport - Estimated Annual Revenue: \$1,093,981

The city secretary announced that the city manager had deleted consent agenda item 20 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2723

Item 21: Authorize a twelve-month Parking Agreement with Central Parking System of Texas, Inc. for seventy-four reserved parking spaces in the Elm Street Garage, to be used by the Police Department's Special Investigations Bureau, Youth and Family Crimes Division and the Community Policing Support Unit - \$5,550 per month, for a total of \$66,600 annually - Financing: Current Funds (\$64,800) and Office of the Governor, Criminal Justice Division Grant Funds (\$1,800)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2724

Item 22: Authorize the sale of two single family residential properties to the highest bidders, acquired by the cities of Dallas and Fort Worth in connection with the D-FW International Airport Noise Mitigation Program for the new runway expansion project and authorize rejection of all bids received on two additional properties - Revenue: \$202,161 - proceeds to be retained in the D-FW International Airport Mitigation Program (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2725

Item 23: Authorize an agreement between the D-FW Airport Board and the United States of America, through the Federal Aviation Administration, that will allow the Airport Board to transfer ownership of the improvements of the new DVOR/DME Facility (a radar guidance facility constructed at a cost of \$3,154,233 and to be operated by the FAA) in accordance with provisions of a ground lease approved by the Airport Board - Financing: No cost consideration to the City

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2726

Item 24: An ordinance abandoning an alley to Communities Foundation of Texas, Inc., the abutting owner, containing approximately 9,198 square feet of land, located near the intersection of Cedar Springs Road and Routh Street, and authorizing the quitclaim - Revenue: \$134,866 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23649.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2727

Item 25: An ordinance closing and vacating a portion of Love Field Drive containing approximately 6,500 square feet of land, located near its intersection with Reeves Street, for consolidation with the adjacent City-owned property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23650.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2728

Item 26: Authorize the private sale by quitclaim deed of 4 properties acquired by the taxing authorities from a Sheriff's Sale to Dallas Area Habitat for Humanity (list attached) - Revenue: \$9,914

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2729

Item 27: Authorize the quitclaim of 23 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders - Revenue: \$105,099

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2730

Item 28: An ordinance granting a revocable license to Rudolph's Market and Sausage Factory, Inc. for the use of approximately 86 square feet of land to maintain existing overhead guy cables, sign and mount, and building facade in a portion of Elm Street right-of-way near Walton Street - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23651.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2731

Item 29: A resolution declaring approximately 80,150 square feet of City-owned land with obsolete facilities, located near the intersection of Ferguson Road and Barnes Bridge Road, unwanted and unneeded and authorizing its sale to North Texas Municipal Water District - Revenue: \$78,000

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2732

Item 30: Authorize conveyance of drainage, slope and temporary construction easements to the City of Rowlett, containing approximately 100,600 square feet of land, for the construction and maintenance of storm water drainage facilities on City-owned land at Lake Ray Hubbard, located near the intersection of Liberty Grove and Toler Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2733

Item 31: Authorize an increase in the contract with Equipment Depot of Dallas, Inc. for the purchase of a 15,000 pound fork lift - Not to exceed \$55,121, from \$1,719,896 to \$1,775,017 - Financing: 1997-98 Local Law Enforcement Block Grant Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2734

Item 32: Authorize the purchase of five animal restraint cages with the lowest responsible bidders of two - LGL-Animal Care Products, Inc. and Brec, Inc. - Not to exceed \$61,605 - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2735

Item 33: Authorize the purchase of ground maintenance equipment with the lowest responsible bidders of eight - Four Brothers Ford, Longhorn Inc., Master Turf and Tractor, and Professional Turf Products, Inc., - Not to exceed \$334,672 -Financing: Current Funds (\$73,325), Golf Course Surcharge Trust Funds (\$191,522), Athletic Field Maintenance Trust Funds (\$38,275), Trinity River Trust Funds (\$31,550)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2736

Item 34: Authorize the rejection of bids received for heavy equipment rental for the Southside Water Treatment Plant and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2737

Item 35: Authorize a twenty-four month multiple award price agreement for refrigerant gases with the lowest responsible bidders of five - Climate Supply Co. Inc., National Refrigerants Inc., and Industrial and Refrigeration Supply - Not to exceed \$105,102 - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2738

Item 36: Authorize a twenty-four month price agreement for traffic signal construction with the lowest responsible bidder of two - Integrated Roadway Service - Not to exceed \$2,501,000 - Financing: 1985 Bond Funds (\$120,000), 1995 Bond Funds (\$1,580,000), 1998 Bond Funds (\$200,000), Current Funds (\$601,000)

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2739

Item 37: Authorize settlement of a claim filed by Southwestern Bell Telephone, Claim No. 95-101004045-001 - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2740

Item 38: Authorize settlement of a lawsuit, styled Jackie Tullos v. City of Dallas and Jacqueline Brewell, Cause No. 3:97-CV-2821-R - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2741

Item 39: Authorize settlement of a lawsuit, styled Alfred J. Land v. Willie Smith and City of Dallas, Cause No. 97-06592-D - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2742

Item 40: Authorize a real property tax abatement agreement with PETsMART, Inc. and its lessor DFW/Wheatland Investors, L.P., for the purpose of granting a ten-year abatement of 90% of the taxes on the added value to the real property improvements to be made on a new site for a retail shopping center development on property located within City of Dallas Enterprise Zone Two located at 2964 W. Wheatland Road, Dallas, Texas 75237 - Revenue: First year tax revenue estimated at \$1,178. Ten-year tax revenue estimated at \$11,777. (Estimated revenue foregone for ten-year real property abatement \$105,995) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2743

Item 41: Authorize an amendment to the annual taxicab operating authority of Khorshid, Inc. d.b.a. Taxi Dallas to increase its authorized fleet by 35 vehicles from 75 to 110 - Revenue: \$8,750 annually

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2744

Item 42: Authorize an amendment to the annual taxicab operating authority of Darya, Inc. d.b.a. Executive Taxi to increase its authorized fleet by 40 vehicles from 160 to 200 - Revenue: \$10,000 annually

Approved as part of the consent agenda.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2745

Item 43: Authorize an amendment to the annual taxicab operating authority of Ranger Cab Company, Inc. to change the color of its fleet from fuschia to telladega red - Financing: No cost consideration to the City

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2746

Item 44: Authorize contracts with child care vendors for the Child Care Services Program - Not to exceed \$392,372 - Financing: 1998-99 Community Development Grant Funds (\$276,272), Texas Department of Human Services Grant Funds (\$66,100), and Texas Workforce Commission Grant Funds (\$50,000)

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2747

Item 45: Authorize the execution of a secured no-interest forgivable loan contract with Goodwill Industries of Dallas, Inc. for project design services for the property located at the corner of Singleton Boulevard and Westmoreland Road, Lots 1-6, Part of Block 7135, Dallas, Dallas County, Texas for the period October 1, 1998 through September 30, 1999 - Agencies that purchase and/or renovate properties with Community Development Grant funds are required to provide public services to eligible persons for a minimum of five years - \$200,000 - Financing: 1997-98 Community Development Grant Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2748

Item 46: Authorize acceptance of grant funds and execution of the grant agreements with the Texas Department of Health to continue the South Dallas/Oak Cliff Diabetes Awareness and Prevention Program for the period July 1, 1998 through June 30, 1999 and the Hamilton Park/North Park Diabetes Awareness and Prevention Program for the period September 1, 1998 through August 31, 1999 - \$123,485 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2749

Item 47: Authorize the purchase of a three-year insurance policy for Excess Workers' Compensation coverage from General Reinsurance Corporation through Upshaw Insurance Agency, Inc., Agent - Not to exceed \$1,074,000 - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2750

Item 48: Authorize a professional services contract with Hilgers & Watkins, P.C., for state legislative services to be provided by Mr. Randy Cain from October 1, 1998 through September 30, 1999 - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2751

Item 49: Authorize an Interlocal Agreement with the City of Richardson for the design, installation, and operation of a traffic signal at Whispering Hills Drive/College Park Boulevard and Buckingham Road - \$50,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2752

Item 50: Authorize payment to North Texas Municipal Water District as the Contract Administrator for the Region C Water Supply Planning Group for participation in the development of the Region C Water Supply Plan - \$81,172 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2753

Public Hearing - Downtown Public Improvement District

- Item 51: * A public hearing 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 - Financing: No cost consideration to the City
- Item 52: * An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits occurring to the property because of 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 - Not to exceed \$102,000 - Financing: Current Funds

The following individuals addressed the city council regarding the Downtown Public Improvement District:

- Jane Halebian, 6424 Patrick Dr.
- Harold Collins, 7050 N. St. Paul St., Ste. 610

Councilmember Forsythe Lill moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Lipscomb.

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

- Voting Yes: [12] Kirk, Poss, Salazar, Miller, Duncan, Hicks, Mayes, Lipscomb, Finkelman, Greyson, Blumer, Forsythe Lill
- Voting No: [0]
- Absent: [3] Loza, Mallory Caraway, Walne absent when vote taken

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23652.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2754

Public Hearing - Prestonwood Public Improvement District

- Item 53: * A public hearing to receive citizen comments regarding 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 - Financing: No cost consideration to the City
- Item 54: * 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 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

No one addressed the city council regarding the Prestonwood Public Improvement District.

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23653.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2755

Public Hearing - Uptown Public Improvement District

- Item 55: * A public hearing to receive citizen comments concerning the establishment of 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 - Financing: No cost consideration to the City
- Item 56: * 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 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

No one addressed the city council regarding the Uptown Public Improvement District.

Councilmember Forsythe Lill moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23654.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2756

Public Hearing - Vickery Meadow Public Improvement District

- Item 57: * A public hearing to receive citizen comments on the levying of a special assessment against real property and real property improvements exclusive of rights-of-way, to fund the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements - Financing: No cost consideration to the City
- Item 58: * An ordinance closing the public hearing and levying the special assessment against real property and real property improvements, exclusive of right-of-ways, to fund the District for the purpose of providing supplemental services and improvements in the Vickery Meadow Public Improvement District - Financing: No cost consideration to the City

No one addressed the city council regarding the Vickery Meadow Public Improvement District.

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

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 23655.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2757

The consent zoning docket, consisting of agenda items 59-69 was presented.

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

Agenda item 59: Zoning Case Z978-145/9650-NW(CR)
Agenda item 60: Zoning Case Z978-238/10569-SE(CG)
Agenda item 61: Zoning Case Z978-271/9954-NC(LS)
Agenda item 62: Zoning Case Z978-291/10632-SW(JA)
Agenda item 63: Zoning Case Z978-293/10633-SW(JA)
Agenda item 64: Zoning Case Z978-306/10522-NW(LS)
Agenda item 65: Zoning Case Z978-309/10649-SW(PN)
Agenda item 66: Zoning Case Z978-311-5937-NE(PN)
Agenda item 67: Zoning Case Z978-312/8563-NE(PN)
Agenda item 68: Zoning Case Z978-314/10650-NC(PN)
Agenda item 69: Zoning Case Z978-315/10647-SW(SS)

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:

-- Kirk Williams, 5400 Renaissance Tower, regarding Zoning Case Z978-271/9954-NC(LS)

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

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

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2758

Item 59: Zoning Case Z978-145/9650-NW(CR)

Zoning Case Z978-145/9650-NW(CR), an application for and an ordinance granting a CR Community Retail District on property presently zoned an R-7.5(A) Single Family District at the south corner of Webb Chapel Extension and Timberline Drive, 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.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23656.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2759

Item 60: Zoning Case Z978-238/10569-SE(CG)

Zoning Case Z978-238/10569-SE(CG), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to the granting of a Special Purpose Planned Development District for light industrial, commercial and retail uses, as well as establishing urban design guidelines on property on both sides of C.F. Hawn Freeway between Buckner Boulevard and Prairie Creek Road.

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

Approved as part of the consent zoning docket.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2760

Item 61: Zoning Case Z978-271/9954-NC(LS)

Zoning Case Z978-271/9954-NC(LS), an application for and an ordinance granting a Specific Use Permit for a Hotel or Motel use on property presently zoned a CR Community Retail District on the south side of Forest Lane, east of Dennis Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23657.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2761

Item 62: Zoning Case Z978-291/10632-SW(JA)

Zoning Case Z978-291/10632-SW(JA), a Landmark Commission authorized hearing to consider the granting of an Historic Overlay District for the Mallory Drug Store on property presently zoned as Planned Development District No. 316, the Jefferson Area Special Purpose District, at the southwest corner of West Jefferson Boulevard and Tyler Avenue, and an ordinance granting the proposal

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23658.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2762

Item 63: Zoning Case Z978-293/10633-SW(JA)

Zoning Case Z978-29310633-SW(JA), a Landmark Commission authorized hearing to consider the granting of an Historic Overlay District for the Oak Cliff United Methodist Church on property presently zoned an RR Regional Retail District at the northwest corner of East Jefferson Boulevard and Marsalis Avenue, and an ordinance granting the proposal.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23659.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2763

Item 64: Zoning Case Z978-306/10522-NW(LS)

Zoning Case Z978-306/10522-NW(LS), an application for and an ordinance granting a Specific Use Permit for a Private Street on property presently zoned a TH-2(A) Townhouse District on the north side of Northwest Highway, west of Midway Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23660.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2764

Item 65: Zoning Case Z978-309/10649-SW(PN)

Zoning Case Z978-309/10649-SW(PN), an application for and an ordinance granting a Specific Use Permit for a Private School(Life Charter School of Oak Cliff) and a Child-care facility on property presently zoned an R-7.5(A) Single Family District at the southeast corner of South R.L. Thornton Freeway and Ann Arbor Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23661.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2765

Item 66: Zoning Case Z978-311/5937-NE(PN)

Zoning Case Z978-311/5937-NE(PN), an application for an LI Light Industrial District on property presently zoned an LO-1 Limited Office District on the north side of Interstate 30, northeast of Buckner Boulevard, and an ordinance granting a CS Commercial Service District.

(The city plan commission recommended denial of an LI Light Industrial District, but approval of a CS Commercial Service District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23662.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2766

Item 67: Zoning Case Z978-312/8563-NE(PN)

Zoning Case Z978-312/8563-NE(PN), an application for and an ordinance granting a Planned Development District for a Transit Passenger Station or Transfer Center, a Mounted Antenna for Cellular Communication, and access for Electrical Substation on property presently zoned an MF-1(A) Multifamily District, an NO(A) Neighborhood Office District, a P(A) Parking District, and a P(A) Parking District with Specific Use Permit No. 794 for an Electrical Substation on the DART right-of-way (formerly the H.&T.C. Railroad right-of-way) north and south of Walnut Hill Lane

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23663.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2767

Item 68: Zoning Case Z978-314/10650-NC(PN)

Zoning Case Z978-314/10650-NC(PN), an application for and an ordinance granting an amendment to the plans and certain conditions for Planned Development District No. 24 for Single Family Attached Dwellings, MF-2 District Uses, Public Elementary School Use, and Public Junior High School Use(Dobie Elementary and Northwood Junior High) to create a Tract C-1 for parking for public school use on property east and west of Waterfall Way, south of Rolling Hills Drive.

(The city plan commission recommended approval, subject to a revised development plan and a site/landscape plan for Tracts C and C-1, and amended conditions 1, 3, and 5, and addition of conditions 1a and 8.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23664.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2768

Item 69: Zoning Case Z978-315/10647-SW(SS)

Zoning Case Z978-315/10647-SW(SS), an application for and an ordinance granting an R-5(A) Single Family District on Tract I and a TH-3(A) Townhouse District on Tract II on property presently zoned an LI Light Industrial District at the northeast corner of Westmoreland Road and Groveview Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23665.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2769

Item 70: Public Hearing - Zoning Case Z978-286/10628-C(SS)

Cherryl J. Peterman, director of planning, reminded the city council that in accordance with subparagraph (c)(2)(A) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission.

A public hearing was called on zoning case Z978-286/10628-C(SS), an application for a Specific Use Permit for a Handicapped Group Dwelling Unit on property presently zoned an R-7.5(A) Single Family District on the north side of Glendora Avenue, east of Boedeker Street.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Richard Seib, 635 W. Colorado Blvd., representing the applicant

Appearing in favor of the city plan commission recommendation:

- Harold Gaspar, 7322 Glendora Ave.
- Herman Burkett, 3361 Camelot Dr.
- David Perry, 7131 Meadows Rd.
- Roger Harris, 7134 Glendora Ave.

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

Motion seconded by Mayor Pro Tem Poss.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

September 23, 1998

98-2770

Item 71: Public Hearing - Zoning Case Z978-283/6593-SE(SS)

Cherryl J. Peterman, director of planning, reminded the council that deed restrictions were offered but have not been executed. Staff recommends council approval subject to deed restrictions and the ordinance being brought back at a later date.

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. This application was considered by the City Council at a public hearing on September 9, 1998, and was taken under advisement until September 23, 1998, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Elsie Risby, 2900 Dilido Rd.

Appearing in favor of the city plan commission recommendation:

- Larry Frederick, 4611 Samuell Blvd.
- Kirk Williams, 5400 Renaissance Tower

Councilmember Duncan moved to close the public hearing, accept the recommendation of the city plan commission, and accept the volunteered deed restrictions..

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Item 72: Public Hearing - Zoning Case Z978-191/10159-NW(KC)

Cherryl J. Peterman, director of planning, reminded the city council that in accordance with subparagraph (c)(2)(A) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission.

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 again on September 9, 1998, and was taken under advisement until September 23, 1998, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation.

- William Cothrum, 500 So. Ervay St.

Appearing in favor of the city plan commission recommendation.

- Se-Gwen Tyler, 1816 Prairie View Dr.
- Mittie Boson, 1708 Chattanooga Pl.
- Kathy Farrington, 5755 Arlington Park Dr.

Councilmember Mallory Caraway moved to close the public hearing, overrule the city plan commission recommendation, grant the application for a specific use permit and staff review site plans submitted by the applicant.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2772

Item 73: 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 23, 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 city secretary also noted that the term for each nominee would end August 31, 1999.

Deputy Mayor Pro Tem Salazar moved to appoint nominees to "individual appointment" positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 1999.

Motion seconded by Councilmember Loza and unanimously adopted.

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

98-2804 PAR PARKS AND RECREATION BOARD

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2773

Item 74: Authorize the City Manager to accept a grant and enter into an agreement for the use of grant funds from the U. S. Environmental Protection Agency (EPA) for a two-year period for the Brownfields Showcase Program, and authorize the City Manager to enter into an Intergovernmental Personnel Agreement with EPA for the loan of an EPA Environmental Protection Specialist for two years to assist with the City's Brownfields Program - Not to exceed \$400,000 - Financing: U. S. Environmental Protection Agency Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2774

Item 75: 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
Recommendation of Staff: Denial

The following individual addressed the city council regarding the Texas Acoholic Beverage Code:

-- John Fraser, 810 Quail Rise, Fairview, representing Club Nocturno El Paraiso

Councilmember Mayes moved to follow the recommendation of staff to deny the item.

Motion seconded by Councilmember Duncan.

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, Blymer, Forsythe Lill
Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2775

Item 76: FY 1998-99 Budget Items

- * An ordinance amending Chapter 2 of the Dallas City Code to establish the Department of Code Compliance and to rename the Department of Streets, Sanitation and Code Enforcement Services as the Department of Streets and Sanitation Services and to transfer the code enforcement responsibilities of the former department of Streets, Sanitation and Code Enforcement Services to the new Department of Code Compliance - Financing: No cost consideration to the City

Councilmember Duncan moved to pass the ordinance.

Motion seconded by Councilmember Loza.

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

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.

Assigned ORDINANCE NO. 23666.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2776

Item 77: FY 1998-99 Budget Items

- * Final reading and adoption of appropriation ordinances for the Proposed FY 1998-99 City of Dallas Operating, Grants and Trusts and Capital Budgets

The following individuals addressed the city council regarding the FY 1998-99 City of Dallas Operating, Grants and Trusts and Capital Budgets:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.
- Betty Washington, 1224 Fordham Rd.
- Geraldine Brown, 1623 Pine St.
- Shelia Nunley, 331 W. McVey Ave.

Mayor Pro Tem Poss moved to amend the 1998-99 Operating, and Capital budget ordinances as adopted on first reading on September 9, 1998, to include the attached omnibus amendment, as well as the capital budget adjustments, and to authorize the city manager to adjust the appropriation amounts in the ordinances to reflect these amounts.

Motion seconded by Councilmember Finkelman.

Councilmember Miller moved to vote separately on the Big 12 item.

Motion seconded by Councilmember Blumer.

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

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

Mayor Kirk declared the motion failed.

9/29/98 11:25 pm
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Councilmember Blumer moved to vote on the first fourteen items separately.

Motion seconded by Councilmember Miller.

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

Voting Yes: [3] Miller, Mayes, Blumer
Voting No: [12] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Lipscomb,
Walne, Finkelman, Greyson, Forsythe Lill

Mayor Kirk declared the motion failed.

After discussion, Mayor Kirk called the vote on the Omnibus Amendments in Mayor Pro Tem Poss' original motion:

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

Mayor Kirk declared the motion adopted.

Mayor Kirk then called the vote on the final reading, and adoption of the FY 1998-99 Operating, Grants and Trusts and Capital Budgets as amended:

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23667 [Operating Budget Appropriation Ordinance]
Assigned ORDINANCE NO. 23668 [Capital Budget Appropriation Ordinance]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2777

Item 78: FY 1998-99 Budget Item

- * An ordinance setting the tax rate for FY 1998-99 at 65.16¢ per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 1998-99

Mayor Pro Tem Poss moved to amend the ordinance to reduce the tax rate to 64.91¢ per \$100 valuation.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23669.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2778

Item 79: FY 1998-99 Budget Item

- * An ordinance amending Chapter 18 of the Dallas City Code to increase the residential sanitation collection fees by 68¢ per month from \$11.41 per month to \$12.09 per month effective October 1, 1998

Mayor Pro Tem Poss moved to deny the ordinance.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2779

Item 80: FY 1998-99 Budget Item

- * An ordinance amending Chapter 49 of the Dallas City Code to adjust rates for water and wastewater services for Dallas and customer cities effective October 1, 1998

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [12] Kirk, Poss, Salazar, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Forsythe Lill
Voting No: [3] Loza, Greyson, Blumer

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23670.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2780

Item 81: FY 1998-99 Budget Item

- * Authorize personnel classification and position changes in various departments which include additions, upgrades, downgrades, reclassifications, and deletions resulting from the annual one-third review classifications as mandated by Council Resolution #943507, October 1, 1994

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Mallory Caraway.

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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2781

Item 82: FY 1998-99 Budget Item

- * Authorize position changes, a 3% Market Maintenance Adjustment for civilian and uniformed employees and revise civilian salary schedules to reflect a 5% salary range adjustment, and establish Detective Assignment Pay for uniformed Police effective October 1, 1998

Councilmember Mayes moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2782

Item 83: FY 1998-99 Budget Item

- * Authorize the exercise of the fourth twelve-month renewal option, beginning October 1, 1998 through September 30, 1999, to the contract with the Southern Dallas Development Corporation to manage the City's Southern Dallas Economic Development Program promoting economic development and revitalization of Southern Dallas, Walker Consent Decree Areas, Enterprise Community, and the Enterprise Zones; authorize disbursement of the funds in the following amounts and categories: Administration (\$100,000); Business Loan Reserve Program (\$525,000); Professional/Technical Services (\$50,000) - Not to exceed \$675,000 - Financing: 1998-99 Community Development Grant Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2783

Item 84: FY 1998-99 Budget Item

- * Authorize payment to Dallas County for processing and housing City prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County for the period of October 1, 1998 through September 30, 1999 - \$5,369,408 - Financing: Current Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill

Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2784

Item 85: FY 1998-99 Budget Item

- * Authorize the extension of a contract with the Texas Department of Health to provide on-line computer services in support of the City's Bureau of Vital Statistics through September 30, 1999 - \$128,100 - Financing: Current Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2785

Item 86: FY 1998-99 Budget Item

- * Authorize a contract with the Martin Luther King, Jr. Family Clinic for the provision of pediatric care services for the period October 1, 1998 through September 30, 1999 - \$67,100 - Financing: Current Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2786

Item 87: FY 1998-99 Budget Item

- * Authorize two contracts with Dental Health Programs, Inc. for the continuation of dental health services to eligible residents for the period October 1, 1998 through September 30, 1999 - \$675,000 - Financing: 1998-99 Community Development Grant Funds (\$200,000) and Current Funds (\$475,000)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2787

Item 88: FY 1998-99 Budget Item

- * Authorize a contract with Holmes Street Foundation, Inc. for the provision of residential substance abuse treatment services for adolescent males for the period October 1, 1998 through September 30, 1999 - \$81,250 - Financing: 1998-99 Community Development Grant Funds (\$65,000) and Current Funds (\$16,250)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2788

Item 89: FY 1998-99 Budget Item

- * Authorize a contract with the University of Texas Southwestern Medical Center at Dallas for the continuation of a Minority AIDS Education Program for the period October 1, 1998 through September 30, 1999 - \$112,500 - Financing: 1998-99 Community Development Grant Funds (\$55,000) and Current Funds (\$57,500)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2789

Item 90: FY 1998-99 Budget Item

- . * Authorize application for and acceptance of the 1998-99 Speed Step grant for traffic-related activities from the Texas Department of Transportation and execution of the grant agreement - \$300,000 - Financing: Texas Department of Transportation Grant Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2790

Item 91: FY 1998-99 Budget Item

- * Authorize application for and acceptance of the 1998-99 Youth Alcohol Enforcement Step grant from the Texas Department of Transportation and execution of the grant agreement - \$300,000 - Financing: Texas Department of Transportation Grant Funds

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2791

Item 92: FY 1998-99 Budget Item

- * Authorize application for and acceptance of the 1998-99 El Protector grant to provide a community educational program on impaired driving issues and occupant protection devices, a local match in the amount of \$35,000, and execution of the grant agreement - \$140,000 - Financing: Texas Department of Transportation Grant Funds (\$105,000) and Current Funds (\$35,000)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill

Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2792

Item 93: FY 1998-99 Budget Item

- * Authorize application for and acceptance of the 1998-99 Occupant Protection Step grant for traffic related activities from the Texas Department of Transportation in the amount of \$125,000, a local match in the amount of \$125,000, and execution of the grant agreement - \$250,000 - Financing: Texas Department of Transportation Grant Funds (\$125,000) and Current Funds (\$125,000)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill

Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2793

Item 94: FY 1998-99 Budget Item

- * Authorize the necessary appropriations and interim financing for the emergency purchase of three compactors - Darr Equipment Co., sole source - Not to exceed \$1,598,085 - Financing: Aviation Capital Reserve Funds (to be reimbursed upon issuance of future Equipment Acquisition Contractual Obligations)

Councilmember Duncan moved to approve the item.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2794

Item 95: Appointments to the Privatization Technical Subcommittee to fill four vacancies -
Financing: No cost consideration to the City

Councilmember Walne moved that the following individuals recommended by the Business and Commerce Committee be appointed to the Privatization Technical Subcommittee:

Gloria De La Cruz
Thomas E. Hines
Don Mitchell
Edna Dean Pemberton
Nikki Nagori Carmody, alternate member

Motion seconded by Councilmember Lipscomb and unanimously adopted.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2795

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
- 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-9843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R
- Affirmative Action Plan

The posted closed session was not held.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2796

Addendum addition 1: Authorize a twelve month extension of the 1993-1998 Affirmative Action Plan ("Plan") for the period of October 1, 1998 through September 30, 1999, pending resolution of ongoing litigation and authorize approval of amendments to the Plan

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Lipscomb.

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

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill

Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2797

Addendum addition 2: Authorize the rejection of bids received for a Flooded Roadway Warning System and authorize readvertisement for new bids - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2798

98-2799

Addendum addition 3:Farmers Market TIF District

- * Authorize (1) a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Marilla Street from Good Latimer Expressway to Central Expressway and Farmers Market Way from Canton Street to Marilla Street located in Tax Increment Reinvestment Financing Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) with Tiseo Paving Company, lowest responsible bidder of four in an amount of \$1,315,295, (2) the amount of \$20,636 for signal improvements and signs by city forces, (3) assignment of the construction contract to Camden Property Trust for design and construction administration in the amount of \$455,000, and (4) establish necessary appropriations in the Farmers Market TIF District Fund - \$1,791,031 - Financing: 1985 Bond Funds (\$1,460,608), Water Utilities Capital Construction Funds (\$330,423)

[98-2798]

Addendum addition 4:Farmers Market TIF District

- * Authorize a resolution declaring the intent of the City of Dallas to utilize tax increment proceeds to reimburse the Street System Improvement Fund and Water and Wastewater Construction Fund for certain expenditures made under an agreement between Camden Property Trust and the City of Dallas, on behalf of the Farmers Market TIF District, for the purpose of public improvements located in Tax Increment Reinvestment Financing Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) - Financing: \$1,791,031 to be transferred from city sources and reimbursed with interest from the Farmers Market TIF District Fund. Accrued interest to be repaid solely from the Farmers Market TIF District Fund **[98-2799]**

Councilmember Loza moved to approve the resolution.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

9/29/98 11:25 pm

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2800

Addendum addition 5: An ordinance amending Ordinance No. 23261 to extend the time required to file a final replat affecting property adjacent to abandoned street right-of-way rededicated as a private drive, located near the intersection of Country Creek Drive and Walton Walker Boulevard - Revenue: \$650 plus \$20 ordinance publication fee

Councilmember Hicks moved to pass the ordinance.

Motion seconded by Councilmember Miller and unanimously adopted.

Assigned ORDINANCE NO. 23671.

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2801

Addendum addition 6: Authorize (1) adoption of the Preliminary FY 1998-99 Community Development Block Grant Reprogramming Budget #1 in the amount of \$500,000 and (2) a public hearing to be held on October 7, 1998 to receive citizen comments - Financing: 1998-99 Community Development Grant Funds

Councilmember Lipscomb moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2802

Addendum addition 7: A resolution appointing two Dallas DART Board members and reaffirming City of Dallas DART Board appointments

The city secretary announced that Councilmember Blumer had deferred consideration of addendum addition 7 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, Mayor Kirk stated that the city attorney ruled that addendum addition 7 could not be deferred because the item was placed on the agenda by a unanimous vote of a council committee and would take a motion to defer the item.

Councilmember Miller moved to defer the item until the October 7, 1998 briefing meeting of the city council.

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

9/29/98 11:25 pm
D:/98MINCC090998AMENDED.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2803

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).

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2805

MOTION TO RECONSIDER

Councilmember Blumer moved to reconsider addendum addition 1 on the September 9, 1998 city council agenda, an item to consider 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.

Motion seconded by Councilmember Miller.

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

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

Mayor Kirk declared the motion failed.

9/29/98 11:25 pm
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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 23, 1998

EXHIBIT C

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 23, 1998

98-2700

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]

CORRECTIONS

9/29/98 11:25 pm
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2756

Public Hearing - Vickery Meadow Public Improvement District

- Item 57: * A public hearing to receive citizen comments on the levying of a special assessment against real property and real property improvements exclusive of rights-of-way, to fund the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements - Financing: No cost consideration to the City
- Item 58: * An ordinance closing the public hearing and levying the special assessment against real property and real property improvements, exclusive of right-of-ways, to fund the District for the purpose of providing supplemental services and improvements in the Vickery Meadow Public Improvement District - Financing: No cost consideration to the City

No one addressed the city council regarding the Vickery Meadow Public Improvement District.

Councilmember ~~Forsythe~~ ~~Lill~~ Blumer moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 23655.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2769

Item 70: Public Hearing - Zoning Case Z978-286/10628-C(SS)

Cherryl J. Peterman, director of planning, reminded the city council that in accordance with subparagraph (c)(2)(A) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that the application for a change in zoning had been recommended for denial by the city plan commission.

A public hearing was called on zoning case Z978-286/10628-C(SS), an application for a Specific Use Permit for a Handicapped Group Dwelling Unit on property presently zoned an R-7.5(A) Single Family District on the north side of Glendora Avenue, east of Boedeker Street.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Richard Seib, 635 W. Colorado Blvd., representing the applicant

Appearing in favor of the city plan commission recommendation:

- Harold Gaspar, 7322 Glendora Ave.
- Herman Burkett, 3361 Camelot Dr.
- David Perry, 7131 Meadows Rd.
- Roger Harris, 7134 Glendora Ave.

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

Motion seconded by Mayor Pro Tem Poss.

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

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

Mayor Kirk declared the motion adopted.

9/29/98 11:25 pm
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2778

Item 79: FY 1998-99 Budget Item

- * An ordinance amending Chapter 18 of the Dallas City Code to increase the residential sanitation collection fees by 68¢ per month from \$11.41 per month to \$12.09 per month effective October 1, 1998

Mayor Pro Tem Poss moved to deny the ordinance.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [15-]14 Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Mayes, Lipscomb, Walne, Finkelman, Greyson, ~~Blumer~~, Forsythe Lill
Voting No: [0]1 Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2775

Item 76: FY 1998-99 Budget Items

- * An ordinance amending Chapter 2 of the Dallas City Code to establish the Department of Code Compliance and to rename the Department of Streets, Sanitation and Code Enforcement Services as the Department of Streets and Sanitation Services and to transfer the code enforcement responsibilities of the former department of Streets, Sanitation and Code Enforcement Services to the new Department of Code Compliance - Financing: No cost consideration to the City

Councilmember Duncan moved to pass the ordinance.

Motion seconded by Councilmember Loza.

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

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.

Assigned ORDINANCE NO. ~~23668~~ 23666.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2776

Item 77: FY 1998-99 Budget Items

- * Final reading and adoption of appropriation ordinances for the Proposed FY 1998-99 City of Dallas Operating, Grants and Trusts and Capital Budgets

The following individuals addressed the city council regarding the FY 1998-99 City of Dallas Operating, Grants and Trusts and Capital Budgets:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.
- Betty Washington, 1224 Fordham Rd.
- Geraldine Brown, 1623 Pine St.
- Shelia Nunley, 331 W. McVey Ave.

Mayor Pro Tem Poss moved to amend the 1998-99 Operating, and Capital budget ordinances as adopted on first reading on September 9, 1998, to include the attached omnibus amendment, as well as the capital budget adjustments, and to authorize the city manager to adjust the appropriation amounts in the ordinances to reflect these amounts.

Motion seconded by Councilmember Finkelman.

Councilmember Miller moved to vote separately on the Big 12 item.

Motion seconded by Councilmember Blumer.

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

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

Mayor Kirk declared the motion failed.

9/29/98 11:25 pm
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Councilmember Blumer moved to vote on the first fourteen items separately.

Motion seconded by Councilmember Miller.

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

Voting Yes: [3] Miller, Mayes, Blumer
Voting No: [12] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Lipscomb,
Walne, Finkelman, Greyson, Forsythe Lill

Mayor Kirk declared the motion failed.

After discussion, Mayor Kirk called the vote on the Omnibus Amendments in Mayor Pro Tem Poss' original motion:

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

Mayor Kirk declared the motion adopted.

Mayor Kirk then called the vote on the final reading, and adoption of the FY 1998-99 Operating, Grants and Trusts and Capital Budgets as amended:

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. ~~23668~~ 23667 [Operating Budget Appropriation Ordinance]
Assigned ORDINANCE NO. ~~23669~~ 23668 [Capital Budget Appropriation Ordinance]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2777

Item 78: FY 1998-99 Budget Item

- * An ordinance setting the tax rate for FY 1998-99 at 65.16¢ per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 1998-99

Mayor Pro Tem Poss moved to amend the ordinance to reduce the tax rate to 64.91¢ per \$100 valuation.

Motion seconded by Councilmember Mayes.

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

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. ~~23670~~ 23669.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2779

Item 80: FY 1998-99 Budget Item

- * An ordinance amending Chapter 49 of the Dallas City Code to adjust rates for water and wastewater services for Dallas and customer cities effective October 1, 1998

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [12] Kirk, Poss, Salazar, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Forsythe Lill
Voting No: [3] Loza, Greyson, Blumer

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. ~~23672~~ 23670.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 23, 1998

98-2800

Addendum addition 5: An ordinance amending Ordinance No. 23261 to extend the time required to file a final replat affecting property adjacent to abandoned street right-of-way rededicated as a private drive, located near the intersection of Country Creek Drive and Walton Walker Boulevard - Revenue: \$650 plus \$20 ordinance publication fee

Councilmember Hicks moved to pass the ordinance.

Motion seconded by Councilmember Miller and unanimously adopted.

Assigned ORDINANCE NO. ~~23673~~ 23671.

9/29/98 11:25 pm
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