

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 28, 1998

98-3080

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

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

The meeting was called to order at 9:28 a.m.

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

The invocation was given by Dr. John Fiedler, pastor, First United Methodist Church.

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

After all business properly brought before the city council had been considered the city council adjourned at 3:20 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.

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 28, 1998

EXHIBIT A

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 28, 1998

EXHIBIT B

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3081

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: Katherine Davidson, 2874 Prichard Ln.
SUBJECT: My community

SPEAKER: Bruce Chattem, 2410 Locust Ave.
SUBJECT: My community

SPEAKER: Billy Jack Ludwig, 4953 Thunder Rd.
SUBJECT: Trinity River Boondoggle

SPEAKER: Sammie Smith, 1211 E. 9th St.
SUBJECT: My community

SPEAKER: Nettie Daniels, 2443 Simpson Stuart Rd.
SUBJECT: Dr. Edwards & Medicare

Councilmember Lipscomb moved to suspend the rules to allow Wanda J. Wheeler, 2443 Simpson Stuart Rd. to speak on behalf of her mother, Nettie Daniels.

Motion seconded by Councilmember Hicks and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL
98-3081

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Penina Weiner, 11711 El-Hara Cir.
SUBJECT: Property on Forest Ln.

SPEAKER: Richard Carey, 301 Pleasant Dr.
REPRESENTING: CSCS Inc.
SUBJECT: Obtaining a building permit

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
REPRESENTING: Public Opinion Talk News
SUBJECT: Selective enforcement of laws by D.P.D.

SPEAKER: Sherry Wolfe, 10428 Casnett Dr.
REPRESENTING: Local Christians
SUBJECT: Invocations

SPEAKER: Blanca Martinez, 1735 S. Ewing Ave.
REPRESENTING: Nuestro Centro
SUBJECT: City of Dallas decision to terminate contact due to others negligence

SPEAKER: Gayle White, 3011 Mesa View Dr.
SUBJECT: Redbird Airport/Assistant City Manager Ramon Miguez

SPEAKER: Jewell Floyd, 3815 Myrtle St.
SUBJECT: This and that in South Dallas

SPEAKER: Leo Martinez, 4758 Cornflower, Arlington
REPRESENTING: Nuestro Centro
SUBJECT: Our kids are being lost

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3082

Item 1: Approval of Minutes

The city secretary stated that the minutes of the voting agenda meeting of October 14, 1998, were not yet complete and would be distributed to the city council for approval at a future meeting.

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3083

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-54, was presented for consideration.

The city secretary announced that her office has received written notice from members of the city council that consent agenda items 19, 43 and 52 had been deleted or deferred and that notice of deferred items had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Forsythe Lill requested that consent agenda items 7 and 8 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 7 and 8 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Finkelman moved to approve all items on the consent agenda with the exception of items 19, 43 and 52 which has been deferred or deleted until the next voting agenda meeting, and agenda items 7 and 8 would be considered later in the meeting.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3084

Item 2: Authorize a professional services contract with Matrix Consultants, Inc. for system evaluation, design and construction administration for the installation of diesel exhaust systems at existing fire stations - \$54,980 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3085

Item 3: Authorize a contract for the replacement of the Trinity Heights Elevated Water Storage Tank and demolition of the Western Hills Elevated Tank - Landmark Structures, Inc., lowest responsible bidder of two - \$1,885,000 - Financing: Water Utilities Capital Improvement Funds (\$1,765,000) and Water Utilities Capital Construction Funds (\$120,000)

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3086

Item 4: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, construction of barrier free ramps, water and wastewater main adjustments for the Sidewalk Replacement Program - P & E Engineering, lowest responsible bidder of four - \$192,344 - Financing: 1985 Bond Funds (\$159,094), Water Utilities Capital Construction Funds (\$33,250)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3087

Item 5: Authorize a contract for demolition services for structures ordered demolished by the Urban Rehabilitation Standards Board and other city-owned structures as required - West Excavation Contractors, Inc., lowest responsible bidder of five - \$677,200 - Financing: Demolition Reserve Funds

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3088

Item 6: Authorize a contract for the construction of new computer classroom expansion at the Skyline Branch Library, located at 6006 Everglade Road - Gilbert May, Inc., dba Phillips/May, Inc., lowest responsible bidder of four - \$136,130 - Financing: 1985 Bond Funds (\$60,000), 1995 Bond Funds (\$36,130), Capital Construction Funds (\$40,000)

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3089

Item 7: Authorize a contract for the renovation of Tenison West Golf Course - Landscapes Unlimited, Inc., only bidder \$3,717,898 - Financing: 1995 Bond Funds (to be reimbursed upon issuance of future 1998 Certificates of Obligation)

Councilmember Forsythe Lill requested that consent agenda item 7 be considered as an individual item. Mayor Kirk stated that consent agenda item 7 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 7 was brought up for consideration.

Mayor Kirk announced to the citizens that Councilmember Forsythe Lill would be deferring this item. Because this item was not a public hearing, citizens speaking at this meeting could not speak at the November 11, 1998 voting agenda meeting.

The following individuals addressed the city council regarding Tenison West Golf Course:

- Maelissa Waston, 6956 Lakeshore Dr.
- Gail Bevers, 7044 Tokalon Dr.
- Martin Hoffman, 902 Cordova St.

Councilmember Forsythe Lill moved to defer the item until the November 11, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3090

Item 8: Authorize Supplemental Agreement No. 1 to the contract with GRI Design, Inc. for renovation of the Tenison West Golf Course to provide construction administration services and redesign of the line for transfer of irrigation water - \$91,940, from \$317,760 to \$409,700 - Financing: Golf Improvement Funds

Councilmember Forsythe Lill requested that consent agenda item 8 be considered as an individual item. Mayor Kirk stated that consent agenda item 8 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 8 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the November 11, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3091

Item 9: Authorize Supplemental Agreement No. 1 to the contract with Hildinger Associates Architects (formerly GHA Architects) for additional professional services for a replacement Fire Station No. 34 to be located at Lake June Road and Carbona Drive - \$63,075, from \$131,575 to \$194,650 - Financing: 1978 Bond Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3092

Item 10: Authorize an increase in the contract with Ed Bell Construction Company for the replacement of the temporary asphalt paving with permanent paving within the North Texas Tollway Authority right-of-way and additional drainage items on Frankford Road from Renaissance Drive to Marsh Lane - \$299,031 from \$1,387,746 to \$1,686,777 - Financing: 1995 Bond Funds (to be fully reimbursed by the North Texas Tollway Authority)

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3093

Item 11: Authorize a decrease in the contract with Craig Olden, Inc. for the construction of erosion control improvements at 2936, 2940 and 2944 King Cole Drive - (\$22,853), from \$226,677 to \$203,824 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3094

Item 12: Authorize an increase in the contract with Ampco Systems Parking to increase the expenditures for the maintenance, security and operations of the Dallas Arts District Garage from revenues generated by the garage - \$176,357, from \$1,031,861 to \$1,208,218 - Financing: No cost consideration to the city

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3095

Item 13: Authorize the acceptance of an avigation easement from Ronnie C. Chan over a single-family residential property located at 2507 Glacier Street in the City of Irving in accordance with provisions of the Sales Guarantee Program associated with the D-FW International Airport noise mitigation program involving property owner sales to third-parties, or in the alternative, authorize acquisition of fee title to the property at 93% of the appraised value in the event no sale occurs and upon retaining the necessary avigation easement, authorize the property acquired to be advertised for sale by sealed bids - \$68,820 - Financing: D-FW International Airport Joint Revenue Bond Funds (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3096

Item 14: Authorized acquisition of individual aviation easements over 3 residential properties containing approximately . acre of land located in the City of Irving for the D-FW International Airport Expansion project - \$103,250 (\$49,560 in easement acquisition payments and \$53,690 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.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3097

Item 15: Authorize acceptance of individual avigation easements over 2 properties containing a total of approximately 1,123,337 square feet of land located in the City of Irving in exchange for construction of certain sound insulation work on the building improvements totaling \$1,838,970 in accordance with provisions of the Noise Abatement Program associated with the D-FW International Airport noise mitigation program - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3098

Item 16: Authorize acquisition of 2 single-family residential properties containing approximately 27,766 square feet of land located in the City of Irving for the D-FW International Airport Expansion project - \$170,000 - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3099

Item 17: Authorize the City Manager to execute a lease of land and facilities with National Car Rental System, Inc. which will grant approximately a three and one quarter year primary term lease to run coterminous with National's current car rental concession contract and one five-year option to extend the lease at Love Field Airport - Revenue: \$75,157 annual rent plus \$100,000 on improvements to the leased premises

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3100

Item 18: Authorize renewal of a lease agreement with Child Care Dallas, Inc. to lease 14,418 square feet of space located in the Child Care Building at the Martin Luther King, Jr. Community Center - November 1, 1998 - October 31, 1999 (\$36,045); November 1, 1999 - October 31, 2000 (\$41,091); November 1, 2000 - October 31, 2001 (\$46,138) - Revenue: \$123,274

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3101

Item 19: A resolution declaring approximately 16,893 square feet of City-owned land, located near the intersection of Collett and Bennett Avenues, unwanted and unneeded and authorizing the advertisement for sale by sealed bids at a minimum bid of \$50,679 - Financing: No cost consideration to the City

The city secretary announced that Councilmember Loza had deferred consideration of consent agenda item 19 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3102

Item 20: An ordinance granting renewal of revocable licenses to the Union Pacific Railroad Company for the use and maintenance of various existing street crossings, with the city limits as described in the ordinance - Revenue: \$850 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23686.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3103

Item 21: An ordinance abandoning an alley and a portion of Blackburn Street to Blackburn Central Holdings, L.P., the abutting owner, containing approximately 8,224 square feet of land, located near the intersection of Blackburn Street and McKinney Avenue, providing for the dedication of approximately 88 square feet of land needed for street right-of-way, and authorizing the quitclaim - Revenue: \$174,760 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23687.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3104

Item 22: A resolution declaring approximately 123,209 square feet of City-owned land, located near the intersection of Camp Wisdom and Westmoreland Roads, unwanted and unneeded and authorizing the advertisement for sale by sealed bids at a minimum bid of \$739,254 - Financing: No cost consideration to the City

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 22 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, Councilmember Lipscomb stated that he had notified the city secretary in writing that he had deferred consent agenda item 22 until the next voting agenda meeting, but that he wished to withdraw the deferral and consider the item as part of the consent agenda.

Mayor Kirk stated that consent agenda item 22 would be considered as part of the consent agenda, there being no objection voiced to Councilmember Lipscomb's request.

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3105

Item 23: Authorize settlement of a claim filed by Phyllis Lohden, Claim No. 95-101004928-001 -
Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3106

Item 24: Authorize settlement of a claim filed by Emma Peterson, claim No. 95-101005304-001 -
Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3107

Item 25: Authorize settlement of a lawsuit, styled Jayne Nwokolo v. Bobby G. Loving and City of Dallas, Cause No. 97-09947- - Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3108

Item 26: Authorize settlement of a lawsuit, styled Marinaette Walker V. Jeffrey Abeare and City of Dallas, Cause No. 97-04081-B - Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3109

Item 27: Authorize Supplemental Agreement No. 9 to the professional services contract with the law firm of McKoll Smith, P.C., for legal services necessary in the lawsuit, styled Debra Walker, et al. v. United States Department of Housing and Urban Development, et al., Civil Action No. 3:85-CV-1210-R, in an amount not to exceed \$675,000, increasing the original contract and Supplemental Agreement total from \$1,725,000 to \$2,400,000 - Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3110

Item 28: Authorize Supplemental Agreement No. 1 to the professional services contract with Miller, Canfield, Paddock and Stone, P.L.C. in the lawsuits, styled AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No. 3-98-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R; Caprock Communications Corp., Golden Harbor of Texas, Inc. and Westel, Inc. v. City of Dallas, Cause No. 3-98-CV-1227-R; and Sprint Communications Company, L.P. v. City of Dallas, Cause No. 3-98-CV- 1576-R; and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$500,000, increasing the original contract total from \$250,000 to \$750,000 - Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3111

Item 29: Authorize Supplemental Agreement No. 1 to the professional services contract with Walker, Bright & Whittenton, P.C., for legal services in the lawsuit, styled Patricia K. Bridges v. City of Dallas, et al., Cause No. 3:98-CV-0090-H, and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$15,000, increasing the original contract amount from \$15,000 to \$30,000 ■ Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3112

Item 30: Authorize a professional services contract with Harris Miller Miller & Hanson, Inc. to update the Ldn noise contours for Dallas Love Field, update the 1992 noise contours using the Integrated Noise Model for comparison purposes, prepare noise contours reflecting the aircraft activity forecast for the year 2001 assuming current Wright Amendment conditions and provide detailed technical instruction for future noise contour modeling - \$121,900 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3113

Item 31: Authorize adoption of the City's 1999 State Legislative Agenda for the Seventy-Sixth Texas Legislature - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3114

Item 32: Authorize a maintenance agreement with American Management Systems (AMS), Inc. for the support and maintenance of the City's automated financial system - Not to exceed \$79,526 - Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3115

Item 33: Adoption of the final FY 1998-99 Community Development Block Grant Reprogramming Budget #1 in the amount of \$500,000 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3116

Item 34: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3117

Item 35: Authorize an infrastructure cost participation agreement with New Lamp Bulbs, Inc., dba LBI Electro Optics Corporation and its lessor A. Gus Warren in an amount equal to 30% of the eligible public infrastructure improvements or \$22,500, whichever is less, for the purpose of providing infrastructure improvements serving property located at 5613 Blue Bird Avenue, Dallas, Texas, payable only after completion of improvements as evidenced by a certificate of occupancy - Not to exceed \$22,500 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3118

Item 36: Authorize (1) a real property tax abatement agreement with New Lamp Bulbs, Inc. dba LBI Electro Optics Corporation and its lessor A. Gus Warren for the purpose of granting a ten-year abatement of 90% of the taxes on added value to real property for the retention and expansion of an electronics and telecommunications products distribution company on property in City of Dallas Enterprise Zone Two located at 5613 Blue Bird Avenue, Dallas, Texas 75216; and (2) a 100% development fee rebate to New Light Bulbs, Inc. dba LBI Electro Optics Corporation in an amount not to exceed \$3,500 - Revenue: First year tax revenue estimated at \$521. Ten-year tax revenue estimated at \$5,210. (Estimated foregone revenue for ten-year abatement \$46,915) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3119

Item 37: Authorize (1) a tangible personal property tax abatement agreement with Sears Logistics Services, Inc. dba Terminal Freight Handling Company for the purpose of granting a ten-year abatement of 75% of the taxes on new tangible personal property for the expansion of their operations in City of Dallas Enterprise Community located at 1500 and 1600 Roe Street, Dallas, Texas 75215; and (2) a 100% development fee rebate to Sears Logistics Services, Inc. dba Terminal Freight Handling Company in an amount not to exceed \$6,500 - Revenue: First year tax revenue estimated at \$1,954.80. Ten-year tax revenue estimated at \$19,548. (Estimated revenue foregone for ten-year abatement \$58,644) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3120

Item 38: Authorize (1) a public hearing to be held on November 11, 1998 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 42, consisting of approximately 5 acres located at 1300 Mockingbird Lane, City of Dallas, Texas, in order for the property to be eligible for tangible personal property tax abatement; (2) an ordinance creating City of Dallas Reinvestment Zone No. 42 on November 11, 1998; and (3) a tangible personal property tax abatement agreement and development fee rebate with NEXTLINK Texas, Inc., and its lessor, AP-Prescott Mockingbird, L.P., on November 11, 1998 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3121

Item 39: Authorize the City of Dallas to enter into an economic development grant agreement for the period of October 1, 1998 through September 30, 1999, with the North Texas Commission for the marketing and promotion of the City of Dallas as a part of the Commission's regional effort for promotion of national and international business and economic growth - Not to exceed \$89,025 - Financing: Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3122

Item 40: Authorize a contract with Holmes Street Foundation, Inc. for the provision of substance abuse treatment services in an outpatient setting for adolescents for the period November 1, 1998 through October 31, 1999 - \$100,000 - Financing: Current Funds (\$75,000) and 1997-98 Community Development Grant Funds (\$25,000)

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3123

Item 41: Authorize a contract with Anita Blayton (artist selected by competitive process) for the design, fabrication and installation of a public art project for the Dallas Zoo's Endangered Tiger Exhibit - \$ 40,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3124

Item 42: Authorize a contract with Celia Alvarez Munoz (artist selected by competitive process) for the design of artwork or artworks for the Hispanic Cultural Center - \$35,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3125

Item 43: Authorize a contract for design services with architectural artist Ed Carpenter (selected by competitive process) as a collaborative member of the design team for the Woodall-Rodgers Extension - \$70,000 - Financing: 1995 Bond Funds

Deleted on the addendum to the agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3126

Item 44: Authorize a contract with Frances Bagley (artist selected by competitive process) for the design of a public artwork, The White Rock Lake Water Theater, to be located on the lake side of the Bath House Cultural Center - \$20,000 - Financing: Water Utilities Public Art Fund

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3127

Item 45: Authorize an agreement with the AMIGOS Bibliographic Council, Inc. for continued participation by the Dallas Public Library in the computerized data access program for bibliographic and consulting services for a twelve-month period from October 1, 1998 through September 30, 1999 - Not to exceed \$88,473 - Current Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3128

Item 46: Authorize the acceptance of additional funds to the Fiscal Year 1997-98 Fair Housing Assistance Program grant from the U.S. Department of Housing and Urban Development (HUD) and the execution of an amendment to the grant agreement to reimburse the City for funds expended to host the HUD Quad-Regional FHAP/FHIP Training Conference - \$51,600, from \$192,100 to \$243,700 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3129

Item 47: Authorize an increase in the contract with the Hyatt Regency Dallas at Reunion for additional conference services and room rental loss fees in accordance with contract contingency provisions for the HUD Quad-Regional Training Conference - \$16,312 - Financing: U.S. Department of Housing and Urban Development, Fair Housing Assistance Program Comprehensive Funding Approach Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3130

Item 48: Authorize adoption of the White Rock Lake Spillway Urban Design Plan - Financing:
No cost consideration to the City

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3131

Item 49: Authorize an agreement with CGB Southwest, Inc. to provide for: (1) infrastructure cost participation not to exceed 30% of the total contract price for the infrastructure improvements or \$20,637 whichever is less, (2) a 100% street abandonment rebate not to exceed \$11,276, and (3) a 100% development fee rebate not to exceed \$20,383 for property located at 4144 Office Parkway, in Tier I of the Intown Housing Program's incentive boundaries - Total not to exceed \$52,296 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3132

Item 50: Authorize an Interlocal Agreement with the Texas Department of Public Safety (DPS) for the transfer of the City's voiceprint equipment to DPS in exchange for DPS providing voiceprint comparison services to the City - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3133

Item 51: Authorize application for and acceptance of the COPS MORE '98 grant in the amount of \$94,500 to provide for programming enhancements to the Mobile Data Terminal technology system from the U. S. Department of Justice, Office of Community Oriented Policing Services, which includes a local match in the amount of \$31,500, and execution of the grant agreement - \$126,000 - Financing: U. S. Department of Justice, Office of Community Oriented Policing Services Grant Funds (\$94,500) and Current Funds (\$31,500)

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3134

Item 52: An ordinance amending Chapter 9B of the Dallas City Code to clarify the authority, duties, and rights of Dallas security officers and Dallas Love Field Airport security officers in accordance with state law - Financing: No cost consideration to the City

The city secretary announced that Councilmember Duncan had deferred consideration of consent agenda item 52 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3135

Item 53: Authorize a twelve-month renewal option to the contract with Signature Services Corporation for food and vending services at City Hall, 1500 Marilla Street, and vending only at Oak Cliff Municipal Center, 320 East Jefferson Boulevard - Estimated Revenue: \$12,000 annually

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3136

Item 54: Authorize renewal of the Interlocal Agreement with Dallas County to coordinate the planning and implementation of a Household Hazardous Waste (HHW) collection system and to provide public education aimed at decreasing the generation of HHW in Dallas - Not to exceed \$300,000 - Financing: Storm Water Drainage Management Funds

Approved as part of the consent agenda.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3137

Public Hearing - Sports Arena TIF District

Item 55: * A public hearing was called to receive citizen comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, to be known as the Sports Arena TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code, Chapter 311) - Financing: No cost consideration to the City

Item 56: * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, to be known as the Sports Arena TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code, Chapter 311) at the close of the public hearing - Financing: No cost consideration to the City

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

The following individuals addressed the Sports Arena TIF District:

- Joe Martin, 3105 Gladiolus Ln.
- Roy Williams, 5881 Preston View Blvd.
- Elsie Risby, 2900 Dilido Rd.

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

Motion seconded by Councilmember Forsythe Lill.

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

Voting Yes: [10] Kirk, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb,
Finkelman, Forsythe Lill
Voting No: [3] Miller, Walne, Blumer
Abstain: [1] Poss
Absent: [1] Greyson absent on city business

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23688.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

October 28, 1998

98-3138

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 57-63 was presented.

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

- Agenda item 57: Zoning Case Z978-253/10586-SE(LS)
- ~~Agenda item 58: Zoning Case Z978-270/5215-NC(LS)~~ [Considered individually]
- Agenda item 59: Zoning Case Z978-304/10642-NE(LS)
- Agenda item 60: Zoning Case Z978-330/10678-NE(RB)
- Agenda item 61: Zoning Case Z978-337/10679-C(RB)
- ~~Agenda item 62: Zoning Case Z978-344/2185-SW(PN)~~ [Considered individually]
- ~~Agenda item 63: Zoning Case Z978-331/6480-SW(LS)~~ [Considered individually]

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

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

- Patty Smith, 7001 Fair Oaks Ave., #510, representing Vickery Meadows, regarding Zoning Case Z978-330/10678-NE(RB)

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. (Greyson absent on city business)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3139

Item 57: Zoning Case Z978-253/10586-SE(LS)

Zoning Case Z978-253/10586-SE(LS), an application for and an ordinance granting an MF-2(A) Multiple Family District with retention of the Dry Overlay District on property presently zoned a CR-D Community Retail-Dry District at the east corner of East Ledbetter Drive and Haas Road, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

(The city plan commission recommended approval 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. 23689.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3140

Item 58: Zoning Case Z978-270/5215-NC(LS)

The consent zoning docket, consisting of agenda items 57-63, was presented.

Councilmember Finkelman requested that consent zoning docket item 58 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 58 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Finkelman's request.

A public hearing was called on zoning case Z978-270/5215-NC(LS), an application for and an ordinance granting a CS Commercial Service District and an application for the termination of the existing deed restrictions on property presently zoned an NO(A) Neighborhood Office District on the east side of Davenport Road, south of Winding Creek Road, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning and an instrument terminating the existing deed restrictions.

(The city plan commission recommended approval of a CS Commercial Service District, subject to new deed restrictions volunteered by the applicant, and approval of the termination of the existing deed restrictions.)

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

Councilmember Finkelman moved to postpone consideration of the application until the November 11, 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. (Greyson absent on city business)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3141

Item 59: Zoning Case Z978-304/10642-NE(LS)

Zoning Case Z978-304/10642-NE(LS), an application for and an ordinance granting an MU-2(SAH) Mixed Use (Standard Affordable Housing) District on property presently zoned an MF-2(A) Multifamily District located northwest of Garland Road and northeast of Knob Oak 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. 23690.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3142

Item 60: Zoning Case Z978-330/10678-NE(RB)

Zoning Case Z978-330/10678-NE(RB), an application for and an ordinance granting an NS(A) Neighborhood Service District on property presently zoned an LO-1 Limited Office District at the southeast corner of Park Lane and Shady Brook Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE No. 23691.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3143

Item 61: Zoning Case Z978-337/10679-C(RB)

Zoning Case Z978-337/10679-C(RB), an application for and an ordinance granting an MU-3(SAH) Mixed Use (Standard Affordable Housing) District on property presently zoned a GO(A) General Office District at the south corner of North Central Expressway and Carroll Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23692.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3144

Item 62: Zoning Case Z978-344/2185-SW(PN)

The consent zoning docket, consisting of agenda item items 57-63 was presented.

Councilmember Hicks requested that consent zoning docket item 62 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 62 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Hicks's request.

A public hearing was called on zoning case Z978-344/2185-SW(PN), an application for and an ordinance granting a Planned Development District for CR Community Retail District Uses, Industrial (inside) for Light Manufacturing, and a Tower/Antenna for Cellular Communication on property presently zoned a CR Community Retail District and a CS Commercial Service District on the south side of East Ledbetter Drive between Singing Hills Drive and Houston School Road.

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

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

Appearing in favor of the city plan commission recommendation:

- Rick Douglas, 1201 Elm St.
- Larry Pearson, 1233 Levee St.

Councilmember Hicks moved close the public hearing, accept the recommendation of the city plan commission recommendation with the following changes:

- (1) In Subsection (b) of Section 2, under ■Development Plan,• replace the existing text with the following:

Development plan. For an Industrial (inside) for light manufacturing use and a Tower/antenna for cellular communication, development and use of the property must comply with the attached development plan; for all other permitted uses the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis or landscape plan do not apply.

(2) In Paragraph (5) of Subsection (e) of Section 2, **Height**, replace the existing text with the following:

Height:

- (A) Residential proximity slope. Except as provided in (B) below, if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.
- (B) Tower/antenna for cellular communication. A tower/antenna for cellular communication must not exceed 125 feet in height and must be located as shown on the attached development plan.
- (C) Maximum Height. Except as provided in (A) and (B) above, maximum structure height is 45 feet.

and pass that ordinance with those changes.

Motion seconded by Councilmember Blumer.

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

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

Voting No: [0]

Absent: [1]Greyson absent on city business

Absent when vote taken: [1] Lipscomb

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23693.

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3145

Item 63: Zoning Case Z978-331/6480-SW(LS)

The consent zoning docket, consisting of agenda items 57-63 was presented.

Councilmember Miller requested that consent zoning docket item 63 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 63 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Miller's request.

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 Multifamily Residential Uses, Office Uses and Retail Uses on property involving the Mountain Creek Community Area located on both sides of I-20, west of Spur 408 and an ordinance implementing the proposal.

(The city plan commission recommended approval of a Planned Development District for Single Family and Multifamily Residential Uses, Office Uses and Retail Uses, subject to a conceptual plan and conditions.)

Appearing in opposition to the city plan commission recommendation:

- Cameron Tapley, 8331 High Brush Dr.

Appearing in favor of the city plan commission recommendation:

- Tom Werkema, 7500 W. Camp Wisdom Rd.

Councilmember Miller moved to postpone consideration of the application until the November 11, 1998 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Blumer and unanimously adopted. (Greyson absent on city business)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3146

Item 64: Public Hearing - Zoning Case Z978-322/56-NE(EM)

A public hearing was called on zoning case Z978-322/56-NE(EM), an application for and an ordinance granting an amendment to Planned Development District No. 7-Dry for Shopping Center Uses to allow SC Shopping Center District Uses within Tracts I and IV and to allow the uses permitted in Tract II in Tracts I and Tract IV on the northeast side of Centerville Road, southeast of Garland Road.

(The city plan commission recommended approval. This application was considered by the City Council at a public hearing on October 14, 1998, and was taken under advisement until October 28, 1998, with the public hearing open.)

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

Appearing in favor of the city plan commission recommendation.:

--Larry Smith, 9111 E.R.L. Thornton Frwy.

Mayor Pro Tem Poss moved to postpone consideration of the application until the November 11, 1998 voting agenda meeting of the city council and to continue the public hearing at that time.

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

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3147

Item 65: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

The following individuals addressed the city council regarding the consideration of appointments to boards and commission:

- Jean Crenshaw, 5134 Malcolm X Blvd.
- Marvin Crenshaw, 5134 Malcolm X Blvd.

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3148

Item 66: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

There were no appointment of members to the DART Board.

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3149

Item 67: Authorize a reorganization ordinance amending multiple chapters of the Dallas City Code to provide for the restructuring of various City departments and the redistribution of responsibility for the delivery of various City services and the performance of various City functions effective November 18, 1998 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the amendments of the Dallas City Code:

- Cynthia Dorn-Navarrete, 10216 Oak Branch Ln., representing New Art Six/Sammons Center for the Arts
- Jose Plata, 303 S. Edgefield St.
- Giselle Antoni, 5932 Bryan Pkwy., representing Young Audiences of Greater Dallas
- Joanna St. Angelo, 3107 Timber Ridge Point, Grapevine, representing Sammons Center for the Arts

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

Assigned ORDINANCE NO. 23694.

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3150

Item 68: Authorize classification and position changes and transfers associated with restructuring initiatives, effective November 18, 1998 - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3151

CLOSED SESSION

Attorney Briefings (Sec. 551.074 T.O.M.A.

- Debra Walker, et al v. HUD, et al.
- City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, Texas et al., Cause No. 48-171109-97
 - Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort Worth, Texas, et al., Cause No. 3:98-CV-1187-R (consolidated with City of Dallas, Texas v. Department of Transportation, et al., Cause No. 3:97-CV-2734-R)
 - U.S. Department of Transportation Love Field Service Interpretation Proceeding, Docket No. OST-98-4363
 - AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE
 - Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No.3-98-CV-0843-R; Teligent, Inc. v. -- City of Dallas, Cause No. 3-97-CV-3052-R Caprock Communications Corp., Golden Harbor of Texas, Inc. and Westel, Inc. v. City of Dallas, Cause No. 3-98-CV-1227-R; and Sprint Communications Company, L.P. v. City of Dallas, Cause No. 3-98-CV- 1576-R

The posted closed session was not held.

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3152

Addendum addition 1: A resolution authorizing approval of Declaration of Compliance with the Records Scheduling Requirement of the Local Government Records Act (SLR Form 508) for submission to the Texas State Library and Archives Commission and approval of local schedule Applications and Developmental Test Data - Financing: No cost consideration to the City

Councilmember Duncan moved to approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3153

Addendum addition 2: Authorize a twenty-four month multiple award price agreement for heavy equipment rental at Southside Wastewater Treatment Plant with the lowest responsible bidders of five - Con-Equipment, Inc. and R.D.O. Equipment Co. - Not to exceed \$2,398,320 - Financing: Water Utilities Current Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3154

Addendum addition 3: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of October 28, 1998 through December 31, 2004, with The United Front of Dallas, Inc. dba Southern Skates, located at 2939 East Ledbetter Drive, Dallas, Texas, to be used in conjunction with other funds, skating rink operating capital and equipment for the primarily targeted at youth in an under served area of the city in an amount not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Greyson absent on city business; Mayes absent when vote taken)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3155

Addendum addition 4: Authorize the first of two twelve-month renewal options to the professional services contract with the Enterprise Foundation to provide financial services and administration of the City's first time homebuyer programs to include additional funding in an amount of \$4,262,161 for programs and \$450,000 for administrative costs (direct service delivery costs and administrative costs) and authorize revisions to the existing Mortgage Assistance Program and Upfront Cost Assistance Program - \$4,712,161 - Financing: 1998-99 Community Development Grant Funds (\$527,911), 1996-97 HOME Investment Partnership Program Grant Funds (\$118,000) and 1998-99 HOME Investment Partnership Program Grant Funds (\$4,066,250)

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Mayor Pro Tem Poss.

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

Voting Yes:	[13]	Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb, Walne, Finkelman, Blumer, Forsythe Lill
Voting No:	[0]	
Absent:	[1]	Greyson absent on city business
Absent when vote taken:	[1]	Mayes

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3156

Addendum addition 5: Authorize contracts with recipients of the 1998-99 Emergency Shelter Grant Funds allocated to the City of Dallas for the period of October 1, 1998 through September 30, 1999 list attached) - \$450,875 - Financing: 1998-99 Emergency Shelter Grant Funds

Councilmember Forsythe Lill requested that the question be divided so that Family Place could be voted on separately.

Mayor Kirk ordered the question divided, there being no objection voiced to Councilmember Forsythe Lill's request.

The following individuals addressed the city council regarding the 1998-99 Emergency Shelter Grant Funds:

- Lewis Kinard, 2351 Hartline Dr.
- Debbie Ann Issacs, 606 Newell Ave.

Councilmember Finkelman moved to approve the Emergency Shelter Grant Funds with the following reallocation of dollars in the prevention services category which will be:

Salvation Army	\$ 31,000
Legal Services of North Texas	\$ 23,000
Housing Crisis Center	\$ 23,000
North Dallas Shared Ministries	\$ 17,731
First United Methodist Church	\$ 10,025
Operation Relief	\$ 8,513
Bethlehem Foundation	\$ 17,731
TOTAL	\$131,000

and to vote on the Family Place separately.

Motion seconded by Councilmember Blumer.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

During debate on Councilmember Finkelman's motion, Councilmember Mayes called the question to end the debate.

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

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

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

Mayor Kirk called the vote on Councilmember Finkelman's motion to approve the Emergency Shelter Grants Fund as reallocated:

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

Mayor Kirk declared the motion adopted.

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

Councilmember Finkelman moved to approve the Emergency Shelter Grant funds for the Family Place.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Greyson absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3157

Addendum addition 6: Authorize approval of revisions to the Minor Home Repair Program and the Home Improvement Loan Program to provide home repair assistance to low income households - Financing: No cost consideration to the City

The city secretary announced that this item was deferred on the October 14, 1998 voting agenda meeting of the city council and could not be deferred.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Greyson absent on city business)

11/4/98 8:33 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

October 28, 1998

98-3158

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).

11/4/98 8:33 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, OCTOBER 28, 1998

EXHIBIT C

11/4/98 8:33 am
D:/98MINCC102898.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS