

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 11, 1998

98-3250

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 8:30 a.m.

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

The invocation was given by Captain Don Wildish, commander, Cedar Crest Community Center.

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 8:17 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.

11/16/987:19 am
D:/98MINCC111198.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 11, 1998

EXHIBIT A

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 11, 1998

EXHIBIT B

11/16/98 7:19 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3251

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: Mark Watson, 5851 McCommas Blvd.
SUBJECT: City government/Trees

SPEAKER: Dwayne Dallas, 6266 St. Albans Dr.
SUBJECT: Bill Clinton's Affairs

SPEAKER: Michael Simmons, 2515 Lawrence St.
SUBJECT: Constitutional rights violated in code compliance, housing, city funds and audits

SPEAKER: Elsie Risby, 2900 Dilido Rd.
SUBJECT: For those gone on

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption/Missing city funds/West Dallas housing/EPA/RSR Lead Smelter

SPEAKER: Kathryn Martin, 3400 Noble Ave.
SUBJECT: Garbage bill sent, no pickup

SPEAKER: Billy Jack Ludwig, 4953 Thunder Rd.
SUBJECT: Various subjects

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Information from the Flora farm property

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11/16/987:19 am
D:/98MINCC111198.WPD

November 11, 1998

98-3252

Item 1: Approval of Minutes

The voting agenda meeting of October 14, 1998, as corrected by Councilmember Greyson, and the voting agenda meeting of October 28, 1998, were presented for approval.

Councilmember Mayes moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3253

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-52, was presented for consideration.

The city secretary announced that her office has received written notice from members of the city council that consent agenda item 34 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.

After the Notice of Deferred Items had been posted, Councilmember Blumer stated that she had notified the city secretary in writing that she had deferred consent agenda item 34 until the next voting agenda meeting, but that she wished to withdraw the deferral and consider the item as part of the consent agenda.

Councilmember Miller requested that consent agenda items 34 and 41 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 34 and 41 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Miller's request.

Councilmember Greyson requested that consent agenda item 48 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Mayes moved to approve all items on the consent agenda with the exception of agenda items 34, 41 and 48 would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3254

Item 2: Authorize a professional services contract with Montgomery Watson Americas, Inc. to provide engineering services for the development of Risk Management Programs for regulated chemicals used at the Bachman, Elm Fork and East Side Water Treatment Plants, Forney Pump Station, and Tawakoni Balancing Reservoir in compliance with the Environmental Protection Agency Accidental Release Prevention Program rule - \$359,429 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3255

Item 3: Authorize a professional services contract with EMCON for construction management services of Subtitle D Cell 3 at the McCommas Bluff Landfill - Not to exceed \$60,000 -
Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3256

Item 4: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Checota Drive from Gardenside Drive to Amity Lane - Jeske Construction Company, lowest responsible bidder of four - \$444,266 - Financing: 1995 Bond Funds (\$318,334), Water Utilities Capital Improvement Funds (\$112,743), Water Utilities Capital Construction Funds (\$13,189)

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3257

Item 5: Authorize a contract for the construction of the 48-inch Walnut Hill Lane North High Water Transmission Main located in Walnut Hill Lane from Denton Drive to Gaywood Road - BAR Constructors, Inc., lowest responsible bidder of four - \$9,125,955 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3258

Item 6: Authorize Supplemental Agreement No. 1 to the contract with Charles Gojer and Associates, Inc. to provide construction administration and inspection services for structural repairs to the parking garage at Dallas Love Field Airport - \$11,245, from \$14,750 to \$25,995 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3259

Item 7: Authorize rejection of the only bid received for construction of a cart storage facility, landscaping and flatwork around the cart storage facility and clubhouse, rest rooms and shelters for Tenison Park West Golf Course and authorize readvertisement for new bids -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3260

Item 8: Authorize a First Amendment to the Lease of Land and Facilities with Associated Air Center, Inc., Lessee, which will add approximately 33,095 square feet of new land to the base lease at Love Field Airport - Estimated Annual Revenue: \$19,857

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3261

Item 9: Authorize an amendment to Resolution No. 97-1783, which granted a forty year lease of the Mustang Hangar at Love Field with Frontiers of Flight Museum, by extending the time period to raise the required \$5,000,000 to be expended on the proposed lease premises, from November 30, 1998 to November 30, 1999 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3262

Item 10: Authorize a Sixth Supplement to the Blake C. Tucker lease which will add one vacant tract of land containing approximately 130,000 square feet to the lease, grant an additional ten-year option to extend the lease and permit the City to begin collecting annual rent on an existing airfreight building currently located on the leased premises at Dallas Love Field, which under the current Lease, the City is not permitted to collect such rent - Estimated Annual Revenue: \$67,424

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3263

Item 11: Authorize a five year renewal of an existing lease agreement with Family Gateway, Inc., formerly the Downtown Dallas Family Shelter, Inc., for a 22,500 square feet building known as the Family Gateway located at 711 South St. Paul Street from December 1, 1998 through November 30, 2003 (\$3,510 per month) - Revenue: \$210,600

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3264

Item 12: Authorize a relocation payment to Marvin O. Hooten and Mickie R. Hooten, owners of a used car lot that was displaced by City acquisition activities in conjunction with the replacement site for Fire Station No. 34 located near the intersection of Carbona Drive and Lake June Road - \$20,000 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3265

Item 13: An ordinance abandoning a portion of Odeans Drive, Walter Drive, Anniels Drive and alleys to Colorado Place Partners, L.P., the abutting owner, containing approximately 145,839 square feet of land, in exchange for the rededication of not less than 145,839 square feet of abandoned street right-of-way as private drives and alleys located near the intersection of Colorado Boulevard and Fort Worth Avenue, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23696.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3266

Item 14: An ordinance abandoning a wastewater easement to Forest/Hillcrest Partners, the abutting owner, containing approximately 11,172 square feet of land, located near the intersection of Forest Lane and Hill Haven Drive, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23697.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3267

Item 15: Authorize an amendment to Resolution No. 95-0833, approved on February 22, 1995, to extend for 3 years (from December 31, 1998 to December 31, 2001) the waiver of the Cities' rights to receive proceeds from single-family residential surplus property sales in connection with the Dallas-Fort Worth International Airport Board's implementation of the noise mitigation program related to the east-side runway expansion project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3268

Item 16: Authorize conveyance of a water transmission pipeline easement to the North Texas Municipal Water District, containing approximately 137,475 square feet of land, for the construction and maintenance of a treated water transmission pipeline on City-owned land at Lake Ray Hubbard, located near Miller Road - Revenue: \$68,738

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3269

Item 17: Authorize a thirty-six month multiple award price agreement for refuse equipment specialized parts and labor with the lowest responsible bidders of six - Southwest Equipment Co., Industrial Disposal Supply, Dallas Service Center, Inc., Dallas Mack Truck Sales, Inc., Equipment Southwest, Inc., Conley Lott Nichols Machinery - Not to exceed \$1,230,586 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3270

Item 18: Authorize a twenty-four month multiple award price agreement for binders and folders with the lowest responsible bidders of nine - 2M Business Products, Inter-City Manufacturing Products Company, Inc., Staples Business Advantage - Not to exceed \$297,054 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3271

Item 19: Authorize participation in a cooperative purchasing agreement with the State of Texas General Services Commission for a sixty-month price agreement for the rental and maintenance of Citywide copiers - Minolta Corporation, Xerox Corporation, Panasonic Copier Company, Pitney Bowes, Inc., Danka Office Imaging - Not to exceed \$6,365,357 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3272

Item 20: Authorize a twenty-four month multiple award price agreement for animal food with the lowest responsible bidders of two - Harlan Sprague Dawley, Inc. and The Gourmet Rodent - Not to exceed \$165,752 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3273

Item 21: Authorize a twenty-four month multiple award price agreement for the purchase of traffic control equipment with the lowest responsible bidders of three - McCain Traffic Supply and Intersection Development Corporation - Not to exceed \$1,347,480 - Financing: Texas Department of Transportation Grant Funds (\$769,981), 1985 Bond Funds (\$176,290), Private Funds (\$158,036), and Current Funds (\$243,173)

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3274

Item 22: Authorize a thirty-six month multiple award price agreement for disposable paper products with the lowest responsible bidders of fifteen - Allied Products, Boritex Building Services, Lind Paper Company, Nationwide Papers, National Sanitary Supply Company, Sunbeam Snack and Paper Company - Not to exceed \$1,037,975 - Financing: Current Funds (\$767,630), Water Utilities Current Funds (\$270,345)

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3275

Item 23: Authorize a twenty-four month price agreement for sludge grinder parts and labor with the only bidder - JWC Environmental - Not to exceed \$150,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3276

Item 24: Authorize a seventy-two month price agreement for computer output microfiche and disaster storage - Anacomp, Inc., most advantageous proposer of three - Not to exceed \$825,000 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3277

Item 25: Authorize ratification of emergency repairs to the boiler in the 7th floor mechanical room at City Hall - Page Boiler Works - \$24,750 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3278

Item 26: Authorize settlement of a lawsuit, styled Antoine Crittendon v. Daniel Bryeans and Jana Shackelford, Civil Action Number 3:97-CV-0305-H - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3279

Item 27: Authorize settlement of a lawsuit, styled Ezequiel Nuno v. City of Dallas and David Lee Rhone, Cause No. cc-97-08476-d - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3280

Item 28: Authorize settlement of a lawsuit, styled Gerald Ridgely d/b/a “Gerry’s Concrete” v. City of Dallas, Cause No. 97-08429-C - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3281

Item 29: Authorize settlement of the claim of Cynthia Torres in a lawsuit, styled Juan Juarez Garcia, as Next Friend of Irma Garcia, and Cynthia Torres, Individually and as Next Friend of Heaven Torres, a Minor v. City of Dallas and Patti Ann Bjornson, Cause No. cc-96-1779-C - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3282

Item 30: Authorize settlement of the claims of Lindy Jones and Kathy Jones in a lawsuit, styled Lindy Jones, Kathy Jones, Susan Findley and Dwight Findley v. City of Dallas, Cause No. 96-01843-F - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3283

Item 31: Authorize settlement of a claim filed by Jeff Rawlings, Claim No. 97 101 002993-001 -
Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3284

Item 32: Authorize Supplemental Agreement No. 1 to the professional services contract with Freese-Nichols, Inc., for additional engineering services necessary in the lawsuit, styled Golden Harvest Company, Inc., N.H.T. Partnership, and Kaufman County Levee Improvement District #15 v. City of Dallas, Cause No. 42-765, and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$45,000, increasing the original contract total from \$45,000 to \$90,000 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3285

Item 33: Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's control -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3286

Item 34: A resolution establishing the communications policy to be followed between the City, TCI Cablevision of Dallas, Inc. and AT&T Corporation while review of the transfer of control of the cable television franchise is in process, and extending the current communications policy for franchise renewal to include AT&T - Financing: No cost consideration to the City

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

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

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Mallory Caraway.

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

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

Mayor Kirk declared the motion adopted.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3287

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

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3288

Item 36: A resolution authorizing the City's continued participation in the Texas Coalition of Cities for Franchised Utility Issues and the City's portion of funding for the Coalition - Not to exceed \$30,905 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3289

Item 37: Authorize a rental assistance and moving expense payment for Andrew C. Jones who was displaced as a direct result of a Rental Housing Preservation Program loan to Texas Melody Apartments, L.P. in an amount not to exceed \$16,428 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3290

Item 38: Authorize (1) a real property tax abatement agreement with Southern Foods Group, L.P. dba Schepps Dairy for the purpose of granting a ten-year abatement of 90% of taxes on added value to the real property for the retention and expansion of a dairy manufacturing, packaging and operations company in City of Dallas Enterprise Community located at 3114 South Haskell Avenue, Dallas, Texas 75233; and (2) a 100% development fee rebate to Southern Foods Group, L.P. dba Schepps Dairy in an amount not to exceed \$40,000 - Revenue: First year tax revenue estimated at \$3,287. Ten-year tax revenue estimated at \$32,870. (Estimated revenue foregone for ten-year abatement \$295,830) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3291

Item 39: Authorize (1) a forgivable, interest-free loan agreement and execute any related documents between the City of Dallas and the Dallas Urban League ("Borrower") for partial funding of the \$5,000,000 private/public investment to rehabilitate and convert a former supermarket, located at 4315 South Lancaster Road, into Borrower's headquarters; (2) acquire a \$300,000 lien on Borrower's property; and (3) release the lien upon satisfactory completion of the five (5) year service terms and conditions - Not to exceed \$300,000 - Financing: 1997-98 Community Development Grant Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3292

Item 40: Authorize (1) a public hearing to be held on December 9, 1998 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 43, consisting of .3344 acres located at 2720 Taylor Street, 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. 43 on December 9, 1998; and (3) a tangible personal property tax abatement agreement with Brilla International, Inc., and its lessor, Jim Lake Company, on December 9, 1998 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3293

Item 41: Authorize an amendment to the real property tax abatement agreement with Focus Service Group, Inc., approved by the City Council on February 11, 1998, by Resolution Number 98-0499, changing the substantial completion date of improvements to the real property located at 5800-5858 W. Kiest Boulevard, Dallas, Texas from December 31, 1998 to December 31, 1999 - Financing: No cost consideration to the City (Estimated revenue forgone for the 10-year abatement \$310,520)

Councilmember Miller requested that consent agenda item 41 be considered as an individual item. Mayor Kirk stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting agenda item 41 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the December 9, 1998 voting agenda meeting of the city council.

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

11/16/987:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3294

Item 42: Authorize the City of Dallas to enter into an economic development grant agreement under the Enterprise Community Grant Program for the period of November 11, 1998 through December 31, 2004, with the Southern Dallas Development Corporation, located at 1402 Corinth Street, Dallas, Texas, for the renovation of the Jefferson Tower building in historical Oak Cliff in an amount not to exceed \$50,000 - Financing: Enterprise Community Grant Funds

Approved as part of the consent agenda.

11/16/987:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3295

Item 43: Authorize contracts with cultural organizations for the provision of services to the City through the Leadership Exchange and Advancement Program - Not to exceed \$143,500 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3296

Item 44: Authorize the ratification of payment to AT&T for language translation services on emergency calls to 9-1-1 and non-emergency calls to 3-1-1 - AT&T Language Line Service - Not to exceed \$32,812 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3297

Item 45: Authorize the City of Dallas to enter into an Interlocal Agreement with the Dallas/Fort Worth International Airport Board and the Cities of Irving and Fort Worth for a revenue sharing arrangement wherein Irving agrees to share certain revenue amounts with Dallas and Fort Worth in exchange for the encouragement of further development and growth of the airport property that falls within the geographical boundaries of the City of Irving - Estimated First Year Revenue: \$18,357

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3298

Item 46: Authorize the acceptance of a grant from North Central Texas Council of Governments for a waste reduction/recycling educational program for White Rock Lake Park and authorize execution of the grant agreement - \$38,145 – Financing: North Central Texas Council of Governments

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3299

Item 47: Authorize contracts with Dallas Arboretum and Botanical Society, Inc. (\$380,055) and Dallas Horticulture Center, Inc., (\$98,500) to provide services and programs within the City of Dallas - \$478,555 - Financing: Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3300

Item 48: Authorize a twenty-year agreement with two five-year renewal options with the Foundation for Women's Resources to fund, design, renovate and operate the Women's Museum at Fair Park – Financing: This action has no cost consideration to the City

Councilmember Greyson requested that consent agenda item 48 be considered as an individual item. Mayor Kirk stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting agenda item 48 was brought up for consideration.

Councilmember Mayes moved to approve the item.

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

11/16/987:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3301

Item 49: Authorize an agreement with JPI Apartment Development, L.P. to provide for: (1) infrastructure cost participation not to exceed 30% of the total contract price for the infrastructure improvements or \$77,205 whichever is less, (2) a 100% development fee rebate not to exceed \$72,795, and (3) a tax abatement agreement for a 100% abatement of the taxes on the added value of real property for a period of ten years for property located in Tier I of the Intown Housing Program's incentive boundaries and an Enterprise Community in an area bounded by Liberty, Bryan, Texas, and Live Oak Streets known as Jefferson at Bryan Place II - Total not to exceed \$150,000 - Financing: Public/Private Partnership Funds - Revenue: Estimated tax revenue foregone on added value for 10 year abatement \$1,664,752

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3302

Item 50: An ordinance authorizing 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 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, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning (Z978-283/6593-SE(SS)- Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23698 and ORDINANCE NO. 23699.

11/16/987:19 am
D:/98MINCC111198.WPD

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3303

Item 51: Authorize hardship relief for Rick Garland, dba Rick's Gold Mine Bingo located at 2366 Oates Drive, from the city-wide bingo parlor moratorium (Resolution No. 982487, adopted by City Council on August 26, 1998) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

11/16/98 7:19 am
D:/98MINCC111198.WPD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3304

Item 52: Authorize continuation of a contract with United States Geological Survey for operation of streamflow and water quality gauging stations in the Trinity River basin for FY 1998-99 - \$84,583 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3305

98-3306

Public Hearing -- City of Dallas Reinvestment Zone No. 42

- Item 53: * A public hearing to receive citizen comments concerning the creation of a reinvestment zone for commercial-industrial tax abatement, to be known as City of Dallas Reinvestment Zone No. 42, Commercial Zone "C", consisting of approximately 5 acres located at 1300 Mockingbird Lane, Dallas, Texas, for the purpose of granting a tax abatement on the added value to the tangible personal property and a development fee rebate to NEXTLINK Texas, Inc., and its lessor AP-Prescott Mockingbird, L.P. - Financing: No cost consideration to the City
- Item 54: * An ordinance designating property located at 1300 Mockingbird Lane, Dallas, Texas, consisting of approximately 5 acres, as City of Dallas Reinvestment Zone No. 42, Commercial Zone "C", for commercial-industrial tax abatement for the purpose of granting tangible personal property tax abatement and a development fee rebate to NEXTLINK Texas, Inc., and its lessor, AP-Prescott Mockingbird, L.P., establishing the boundaries of the Reinvestment Zone and providing for an effective date – Financing: No cost consideration to the City
- Item 55: * Authorize (1) a tangible personal property tax abatement agreement with NEXTLINK Texas, Inc., and its lessor, AP-Prescott Mockingbird, L.P., for the purpose of granting a ten-year abatement of 75% of the taxes on added value to tangible personal property new to the site for the development of a telecommunications center on property located within City of Dallas Reinvestment Zone No. 42, Commercial Zone "C" located at 1300 Mockingbird Lane, Dallas, Texas; and (2) a 100% development fee rebate to NEXTLINK Texas, Inc. in an amount not to exceed \$17,000 - Revenue: First year tax revenue estimated at \$32,580. Ten-year tax revenue estimated at \$325,800. (Estimated revenue foregone for ten-year tangible personal property abatement \$977,400) - Financing: Public/Private Partnership Funds

No one addressed the city council regarding City of Dallas Reinvestment Zone No. 42.

Councilmember Mallory Caraway moved to close the public hearing, pass the ordinance and authorize the personal property tax abatement and development fee rebate.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23700.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

11/16/987:19 am

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

November 11, 1998

98-3307

Public Hearing - Corrections and Adjustments to Paving Assessments

- Item 56: * A public hearing to receive citizen comments and concerns regarding the correction and adjustment to the assessment for the cost of improvements against Lot 40, Block 6568 on L.B.J. Service Road Extension from Harry Hines Boulevard to Ford Road and Forest Lane from Harry Hines Boulevard to Denton Drive - Financing: No cost consideration to the City
- Item 57: * An ordinance amending Ordinance 16774, dated November 26, 1980, to reflect the correction and adjustment to the assessments for the cost of improvements against abutting property owner of Lot 40, Block 6568 on L.B.J. Service Road Extension from Harry Hines Boulevard to Ford Road and Forest Lane from Harry Hines Boulevard to Denton Drive - Financing: No cost consideration to the City

No one addressed the city council regarding the corrections and adjustments to paving assessments:

Councilmember Mallory Caraway moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23701.

++++-----FFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3308

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 58-68 was presented.

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

- Agenda item 58: Zoning Case Z978-284/10620-SE(CG)
- Agenda item 59: Zoning Case Z978-316/10645-NE(SS)
- ~~Agenda item 60: Zoning Case Z978-324/536-C(EM)~~ [Considered individually]
- Agenda item 61: Zoning Case Z978-338/10068-C(RB)
- ~~Agenda item 62: Zoning Case Z978-339/74-NE(LS)~~ [Considered individually]
- Agenda item 63: Zoning Case Z978-342/10683-NC(LS)
- Agenda item 64: Zoning Case Z978-345/1656-SE(PN)
- Agenda item 65: Zoning Case Z978-346/10688-SW(PN)

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

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

- Mike Coker, 6390 LBJ Frwy., regarding Zoning Case Z978-324/536-C(EM)

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

Motion seconded by Councilmember Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3309

Item 58: Zoning Case Z978-284/10620-SE(CG)

Zoning Case Z978-284/10620-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 on property presently zoned an IM Industrial Manufacturing District, an IM-D-1 Industrial Manufacturing-Dry District, an IR-D-1 Industrial Research-Dry District, a CR Community Retail District, a CR-D-1 Community Retail-Dry District, a CS Commercial Service District, and a CS-D Commercial Service-Dry District on property on both sides of C.F. Hawn Freeway between Prairie Creek Road and Haymarket Road.

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

Approved as part of the consent zoning docket.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3310

Item 59: Zoning Case Z978-316/10645-NE(SS)

Zoning Case Z978-316/10645-NE(SS), an application for and an ordinance granting a Planned Development District for a Public School (Wallace Elementary) and R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District at the northeast corner of Ferndale Road and Estate 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. 23702.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3311

Item 60: Zoning Case Z978-324/536-C(EM)

The consent zoning docket, consisting of agenda items 58-65 was presented.

Councilmember Forsythe Lill requested that consent zoning docket item 60 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 60 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Forsythe Lill's request.

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

A public hearing was called on zoning case Z978-324/536-C(EM), an application for and an ordinance granting an amendment to Planned Development District No.174 to reduce lot coverage and height, to terminate the existing phasing line, maintain the current setbacks, and terminate the current development plans for Phase I and Phase II at the west corner of Lemmon Avenue and Carlisle Street.

(The city plan commission recommended approval, subject to a new conceptual plan and amended conditions.)

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

Councilmember Forsythe Lill moved to postpone consideration of the application until the December 9, 1998 voting agenda meeting of the city council, and to continue the public hearing at that time.

Motion seconded by Councilmember Hicks and unanimously adopted.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3312

Item 61: Zoning Case Z978-338/10068-C(RB)

Zoning Case Z978-338/10068-C(RB), an application for and an ordinance granting the renewal of and an amendment to the conditions for Specific Use Permit No. 1295 for a Liquor store on property presently zoned as Subarea 8 within Planned Development District No. 298, the Bryan Area Special Purpose District, at the west corner of Haskell Avenue and San Jacinto Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23703.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3313

Item 62: Zoning Case Z978-339/74-NE(LS)

The consent zoning docket, consisting of agenda items 58-65 was presented.

Councilmember Mayes 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 to Councilmember Mayes' request.

A public hearing was called on zoning case Z978-339/74-NE(LS), an application for and an ordinance granting an amendment to Planned Development District No. 273 for Mini-warehouse Uses to allow outside storage of recreational vehicles, boats, and cars in addition to mini-warehouse uses in the Phase III area on the northwest side of Ferguson Road, northeast of Highland Road.

(The city plan commission recommended approval.)

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

Councilmember Mayes moved to close the public hearing, overrule the city plan commission recommendation, and deny the application.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3314

Item 63: Zoning Case Z978-342/10683-NC(LS)

Zoning Case Z978-342/10683-NC(LS), 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 northwest corner of Noel Road and Southern Boulevard.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23704.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3315

Item 64: Zoning Case Z978-345/1656-SE(PN)

Zoning Case Z978-345/1656-SE(PN), an application for and an ordinance granting the repeal of Specific Use Permit No. 185 for a College, and an application for and an ordinance granting the creation of a new Specific Use permit for a Child-care facility, a Public or private school, and a College, university or seminary (Paul Quinn College) on property presently zoned an R-7.5(A) Single Family District with Specific Use Permit No. 185 on the northwest side of Simpson Stuart Road, northeast of Highland Hills Drive.

(The city plan commission recommended approval of the termination of Specific Use Permit No. 185, and approval of a new Specific Use Permit for a permanent time period, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23705 and ORDINANCE NO. 23706.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3316

Item 65: Zoning Case Z978-346/10688-SW(PN)

Zoning Case Z978-346/10688-SW(PN), an application for and an ordinance granting a Planned Development District for certain IR Industrial Research District Uses and Office Uses on property presently zoned an IR Industrial Research District with Specific Use Permit No. 98 for Mining on the north side of Davis Street/Ft. Worth Avenue, southwest of Westmoreland Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23707.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3317

Item 66: Public Hearing - Zoning Case Z978-290/10630-NW(ML)

A public hearing was called on zoning case Z978-290/10630-NW(ML), an application for and an ordinance granting a CS Commercial Service District on property presently zoned a CR Community Retail District located at the northeast corner of Singleton Boulevard and Sylvan Avenue, 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.)

Appearing in opposition to the city plan commission recommendation:

-- Williams Hopkins, 2011 Leath St.

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

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23708.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3318

Item 67: Public Hearing - Zoning Case Z978-317/10653-SW(SS)

A public hearing was called on zoning case Z978-317/10653-SW(SS), an application for an RR Regional Retail District on property presently zoned an MF-2(A) Multifamily District located at the northeast corner of South R.L. Thornton Freeway and Lancaster Avenue.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3319

Item 68: Public Hearing - Zoning Case Z978-332/10681-NC(ML)

A public hearing was called on zoning case Z978-332/10681-NC(ML), a City Plan Commission authorized hearing to determine the proper zoning with consideration being given to the granting of a Planned Development District for CR Community Retail District Uses on property presently zoned a CR Community Retail District on the east side of Pear Ridge Drive, north of Frankford Road, and an ordinance implementing the proposal.

(The city plan commission recommended approval of a Planned Development District for CR Community Retail District Uses, subject to a development plan and conditions.)

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

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

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23709.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3320

Item 69: Public Hearing - Zoning Case Z978-270/5215-NC(LS)

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. This application was considered by the City Council at a public hearing on October 28, 1998, and was taken under advisement until November 11, 1998, with the public hearing open.)

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23710.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3321

Item 70: Public Hearing - Zoning Case Z978-331/6480-SW(LS)

A public hearing was called on zoning case Z978-331/6480-SW(LS), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned as Planned Development District No. 187 for Single Family and Multiple Family Residential Uses, Office Uses and Retail Uses on property involving the Mountain Creek Community Area located 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. This application was considered by the City Council at a public hearing on October 28, 1998, and was taken under advisement until November 11, 1998, with the public hearing open.)

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

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

- (1) Delete the liquor store use as a permitted use within the district.
- (2) Remove the development and infrastructure phasing requirements recommended by the city plan commission and provide new development and infrastructure phasing requirements as distributed to the city council today in a document entitled, "Development Phasing Schedule for Mountain Creek Planned Development District."
- (3) Add a note to document the current additional building permit requirements for structures within this district.

and pass the ordinance with those changes.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23711.

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3322

Item 71: 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 again on October 28, 1998, and was taken under advisement until November 11, 1998, with the public hearing open.)

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

Mayor Pro Tem Poss moved to close the public hearing, accept the recommendation of the city plan commission, with the following changes:

Subject to amending the uses permitted on Tracts I and IV by requiring a Specific Use Permit for an inside commercial amusement use and by deleting the following uses:

Auto repair garage (inside)

Warehouse

Multiple-family

Hotel and motel

Accessory outside sales

and pass the ordinance with those changes.

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 23712.

[Deputy Mayor Pro Tem Salazar was in the chair for Mayor Kirk.]

11/16/987:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3323

Item 72: Public Hearing - FLOODPLAIN APPLICATION

A public hearing was called on an application for a fill permit and removal of the floodplain (FP) prefix from .25 acres of land currently in the 100-year floodplain of the Elm Fork of the Trinity River which is located at 2050 West Northwest Highway at the intersection of California Crossing and is zoned FP (IM) - Fill Permit 98-08 - Financing: No cost consideration to the City

The following individual addressed the city council regarding the application:

-- Maelissa Watson, 6956 Lakeshore Dr.

Councilmember Mallory Caraway moved to close the public hearing and approve the application.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3324

Item 73: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3325

Item 74: 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3326

Item 75: A resolution directing individual councilmembers, city staff, and the bid committee to copy the City Council on all correspondence generated in connection with the 2012 Olympic Games bid (Councilmembers Miller, Mallory Caraway, Mayes, Hicks, Blumer, Loza)

Councilmember Miller moved to approve the resolution.

Motion seconded by Councilmember Blumer.

Councilmember Finkelman made a substitute motion for Councilmember Miller's motion a motion be it resolved, that the City Manager is directed to request from the Dallas 2012 Olympic Bid Committee copies of any correspondence which may directly or indirectly involve City staff or public funds; be it further resolved, that the City Manager is directed to disseminate that information to all City of Dallas Councilmembers.

Motion seconded by Mayor Pro Tem Poss.

Councilmember Hicks asked Councilmember Finkelman if she would accept a friendly amendment to her motion to add "except for those documents that are excepted from required public disclosure under the Texas Open Records Act."

Councilmember Finkelman accepted the amendment as part of her motion.
Mayor Pro Tem Poss, who seconded the original motion , also accepted the amendment.

Councilmember Miller asked Councilmember Finkelman if she would accept a friendly amendment to her substitute motion to state "That the Dallas 2012 Committee provide copies of all correspondence (with any and all attachments) which may directly or indirectly involve city staff of public funds to the members of the Dallas City Council except for those documents that are excepted from required public disclosure under the Texas Open Records Act as amended.

Councilmember Finkelman accepted the amendment as part of her motion.
Mayor Pro Tem Poss, who seconded the original motion, also accepted the amendment.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

11/16/987:19 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

During debate on Councilmember Finkelman's motion, Deputy Mayor Pro Tem Salazar moved the previous question.

Motion seconded by Councilmember Mallory Caraway.

Mayor Kirk called the vote on Deputy Mayor Pro Tem Salazar's motion to end debate and proceed to an immediate vote on the pending question.

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 previous question was 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 as amended:

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

November 11, 1998

98-3327

Item 76: 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)

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

- Suzanne Knudson, 9721 Robin Hill Cir.
- Dan Williamson, 4243 Williamsburg Rd.
- David Battey, 7009 Lakeshore Dr.
- Bob Rosen, 9138 Loma Vista Dr.
- Randy Smith, 9043 Windy Crest Dr.
- John Underwood, 8808 LaCrosse Dr.
- Mary Battey, 7009 Lakeshore Dr.
- Caroleann Fagan, 6230 Joyce Wy.
- Joseph Bevers, 7044 Tokalon Dr.
- D.J. Young, 3600 Fairfax Ave.
- Tim Gamso, 4308 Versaille, Highland Park
- Winfield Padgett, 3600 Drexel Dr., Highland Park
- Sylvia Turner-Yanofsky, 1119 Clermont Ave.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne.

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

November 11, 1998

98-3328

Item 77: 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 Finkelman moved to approve the item.

Motion seconded by Councilmember Walne.

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, Finkleman, Greyson, Blumer Forsythe Lill

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3329

Item 78: 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

Councilmember Loza moved to defer the resolution until the February 24, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3330

Item 79: 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

Councilmember Duncan moved to refer the ordinance back to the Council Committee.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3331

CLOSED SESSION

Attorney Briefings (Sec. 551.071 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.

11/16/98 7:19 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3332

Addendum addition 1: Approval of Minutes of the October 14, 1998 City Council Meeting

Councilmember Greyson moved to approve the voting agenda meeting of October 14, 1998 as corrected.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3333

Addendum addition 2: A resolution adopting the core beliefs of the National League of Cities' Strategic Plan and using them as a guide for policy development and implementation (Mayor Pro Tem Poss, Deputy Mayor Pro Tem Salazar, and Councilmembers Blumer, Finkelman, Forsythe Lill, Greyson, Hicks, Mayes, and Walne via Mayor Kirk)

Mayor Pro Tem Poss moved to approve the resolution.

Motion seconded by Councilmember Hicks and unanimously adopted.

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November 11, 1998

98-3334

Addendum addition 3: Authorize a professional services contract with HDR to provide professional engineering services related to the McCommas Bluff Landfill - Not to exceed \$78,000 - Financing: Current Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of addendum addition 3 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Lipscomb moved to undefer addendum addition 3.

Motion seconded by Councilmember Hicks.

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

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.

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted.

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98-3335

Addendum addition 4: Authorize a contract for the construction of a composite liner and leachate collection system for Cell 3 and related appurtenances at the McCommas Bluff Landfill - BNC Environmental Services, Inc., lowest responsible bidder of two - \$1,632,438 - Financing: Current Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of addendum addition 4 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Lipscomb moved to undefer addendum addition 4.

Motion seconded by Councilmember Hicks.

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

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.

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted.

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98-3336

Addendum addition 5: Authorize a city-sponsorship agreement in an amount not to exceed \$4,000 in direct financial sponsorship and \$2,500 in-kind support of a new special event entitled Texas on Parade in accordance with Resolution 97-0854, the Policy Statement and Procedure Guidelines for the City-Sponsorship of Special Events Program - Financing: Current Funds

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Greyson.

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

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

Mayor Kirk declared the motion adopted.

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98-3337

Addendum addition 6: An ordinance amending Chapter 2 of the Dallas City Code to allow for an alternate manner of sale for tax foreclosed property to non-profit housing corporations and non-profit organizations in accordance with state law for the purpose of building, repair, rental, or sale of housing to low income individuals and families - Financing: No cost consideration to the City

Councilmember Loza moved to suspend the rules to let Harryette Erhardt speak.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

The following individual addressed the city council regarding the amendment:

-- State Representative Harryette Erhardt, 6355 Prospect Ave.

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23713.

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98-3338

Addendum addition 7: Approval of the issuance of approximately \$10,000,000 of bonds by the Red River Education Finance Corporation for the expansion of educational facilities at Jesuit College Preparatory School in Dallas, Texas - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3339

Addendum addition 8: Arena Project Development

- * Authorize an amendment to the Thoroughfare Plan for streets associated with the Arena Project development and an ordinance implementing the changes - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Arena Project Development:

- Ann McKinney-Page, 2210 Glencoe St.
- June Lykes, 1919 S. Shiloh Rd.
- Jewel Floyd, 3815 Myrtle St.
- William Hopkins, 2011 Leath St.
- Elsie Risby, 2900 Dilido Rd.
- Bill Nabors, 5514 Walnut Hill Ln.
- Steve Kanoff, 701 Commerce St.
- Otto Whetsell, 1801 N. Lamar St.
- Barry Knight, 5400 Renaissance Tower
- Joe Martin, 3105 Gladiolus Ln.
- Noel Hubbard, (no address given)
- Dorcy Anderson, 1845 Woodall Rodgers Pkwy.
- Huns Corvey, (no address given)
- John Shagrew, (no address given)

Deputy Mayor Pro Tem Salazar moved to close the public and pass the ordinance.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [10] Kirk, Salazar, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb,
Walne, Finkelman, Forsythe Lill
Voting No: [4] Loza, Miller, Greyson, Blumer
Absent: [1] Poss absent when vote taken

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23714.

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November 11, 1998

98-3340

Addendum addition 9: Arena Project Development

- * Authorize approval of the recommended plan for the proposed alignments for streets associated with the Arena Project development
Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Arena Project Development:

- Ann McKinney-Page, 2210 Glencoe St.
- June Lykes, 1919 S. Shiloh Rd.
- Jewel Floyd, 3815 Myrtle St.
- William Hopkins, 2011 Leath St.
- Elsie Risby, 2900 Dilido Rd.
- Bill Nabors, 5514 Walnut Hill Ln.
- Steve Kanoff, 701 Commerce St.
- Otto Whetsell, 1801 N. Lamar St.
- Barry Knight, 5400 Renaissance Tower
- Joe Martin, 3105 Gladiolus Ln.
- Noel Hubbard, (no address given)
- Dorcy Anderson, 1845 Woodall Rodgers Pkwy.
- Huns Corvey, (no address given)
- John Shagrew, (no address given)

Councilmember Duncan moved to approve the item with the following changes:

Whereas, council desires to establish a street alignment which satisfactorily addresses the following concerns:

Optimizes development of the arena site,

Provides direct pedestrian, rail and visual connection between the arena site and the West End Historic District,

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98-3340

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

is conducive to light rail in addition to commute rail, and

allows for a potential East Side station, and serving the arena and

allows for connection of the rail to the existing West End station and service to the existing transit mall and the proposed pedestrian plaza; and

Whereas, it is desirable to approve and establish alignments for the following streets associated with the Arena Project development; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the proposed alignments for streets associated with the Arena Project development as shown and depicted on the attached map and list are hereby approved.

Section 2. That the Director of Public Works and Transportation is authorized to make minor changes in the curb alignment necessary in the engineering design for these project.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

Motion seconded by Councilmember Forsythe Lill.

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

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

Voting No: [4] Loza, Miller, Greyson, Blumer

Absent: [1] Poss absent when vote taken

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

November 11, 1998

98-3341

NOTICE OF DEFERRED OR DELETED ITEMS

In accordance with Paragraph (d) of Section 7.11 of the City Council Rules of Procedure, the attached notices of deferred or deleted items were posted adjacent to each entrance to the city council chamber in Room 6 E North, City Hall.

7.11(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city council member or deleted by the city manager. No later than 5:30 p.m. of the day before each city council meeting, the city secretary shall post a list of all items appearing on the addendum to the agenda that were deferred by a city council member or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these lists any item described in Paragraph (a)(1), (2), (3), or (4).

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, NOVEMBER 11, 1998

EXHIBIT C

11/16/98 7:19 am
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