

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

98-3480

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [0]

The meeting was called to order at 9:22 a.m.

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

The invocation was given by Mr. Don Lucas.

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 7:49 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.

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

EXHIBIT A

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

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3481

CITIZEN SPEAKERS

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

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Billy Jack Ludwig, 4953 Thunder Rd.
SUBJECT: Mayor talking to citizens

SPEAKER: Joe Martin, 3105 Gladiolus Ln.
SUBJECT: Oak Cliff Gateway TIF District

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: President Clinton/E.P.A./K.K.K./West Dallas Housing

SPEAKER: Gloria Rittenhouse, 1548 Waweenoc Ave.
SUBJECT: Code Enforcement/Home Improvement Loans

SPEAKER: Anthony Hunt, 10102 Apple Creek
SUBJECT: Positioning of police officers/Wasted tax dollars

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3482

Item 1: Approval of Minutes

The voting agenda meeting of November 11, 1998, were presented for approval.

Mayor Pro Tem Poss moved to approve the minutes.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3483

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-97, 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 58 and 59 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 26 and 85 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 26 and 85 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Finkelman requested that consent agenda item 35 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 35 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

At the request of Councilmember Forsythe Lill, consent agenda 57 was removed from the consent agenda to be considered as an individual item, due to a conflict of interest.

Councilmember Blumer requested that consent agenda item 90 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 90 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

The following individuals appeared to comment on consent agenda items:

- Pat Bustos-Robinson, 9235 Briarhurst Dr., representing TCI Cablevision, concerning consent agenda item 65
- Gary Gray, 6211 Prospect Ave., concerning consent agenda item 65
- David Bolduc, 3308 Bridal Path, Austin, representing Flashnet/Website Management Company, Inc., concerning agenda item 65

Councilmember Mayes moved to approve all items on the consent agenda with the exception of agenda items 58 and 59 which had been deferred or deleted until the next voting agenda meeting, and agenda items 26, 35, 57, 65, 85 and 90 would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3484

Item 2: Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. to provide Phase I of the paint analysis and restoration maintenance plan at Fair Park - \$47,120 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3485

Item 3: Authorize professional services contracts with 16 consulting engineering firms for the design of 5 alley petitions, 4 street petitions, 1 street reconstruction, 4 alley reconstructions, 1 local collector, 5 storm drainage relief systems and 1 flood management project - \$1,335,934 - Financing: 1998 Bond Funds (\$1,253,849), Water Utilities Capital Improvement Funds (\$82,085)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3486

Item 4: Authorize a professional services contract with Camp Dresser & McKee, Inc. to provide engineering services for the chemical handling facility at the Southside Wastewater Treatment Plant - \$797,088 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3487

Item 5: Authorize a contract for playground replacement at Arapaho, Churchill and Harry S. Moss Parks - Pittman Construction, Inc., lowest responsible bidder of two - \$124,583 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 8, 1998

98-3488

Item 6: Authorize a contract for playground replacement at Bluffview, Grauwlyer and Marcus Parks
- Pittman Construction, Inc., lowest responsible bidder of two - \$174,902 - Financing:
1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3489

Item 7: Authorize a contract for playground replacement at R. P. Brooks Park - JDC Construction, lowest responsible bidder of two - \$52,250 - Financing: 1995 Bond Funds (\$37,250) and Capital Gifts and Donations Funds (\$15,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3488

Item 8: Authorize rescinding the contract with Admirals Aquatics, Inc., for mechanical improvements and renovations of the neighborhood pool at Wheatley Park, and authorize a contract with Shasta Industries, Inc., second lowest responsible bidder - \$45,000 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 8, 1998

98-3491

Item 9: Authorize a contract for Coliseum Building roof repairs to include repair of the existing foam roof, re-coating and the addition of safety tie-backs on the roof, Phase II at Fair Park - Neogard, a Division of Jones-Blair, lowest responsible bidder of seven - \$142,467
- Financing: Texas Department of Agriculture Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3492

Item 10: Authorize a contract for limited electrical modifications and roof repairs to include repair of roof and roof drains, replacement of fuse panels at catwalk, exhibit area power boxes and exhibit lighting and associated wiring for the Automobile Building, Phase I at Fair Park - Southcrest Corporation, lowest responsible bidder of two - \$719,777 - Financing: State Fair of Texas Capital Construction Funds (\$710,000) and 1995 Bond Funds (\$9,777)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3493

Item 11: Authorize a contract for the construction of roof replacement and asbestos abatement at the Dallas West Branch Library - Castro Roofing of Texas, Inc., lowest responsible bidder of six - \$91,996 - Financing: 1996-97 Community Development Grant Funds (\$75,220), 1995-96 Community Development Grant Funds (\$16,776)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3494

Item 12: Authorize a contract for the construction of roof replacement and asbestos abatement at the Park Forest Branch Library - A A Applicators, Inc., lowest responsible bidder of eight - \$72,600 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3495

Item 13: Authorize a contract for the replacement of the heating, ventilation and air conditioning unit at the Horticulture Building at Fair Park - Burden Brothers, Inc., only bidder - \$140,464 - Financing: 1995 Bond Funds (\$77,000), 1985 Bond Funds (\$30,500), Capital Construction Funds (\$32,964)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3496

Item 14: Authorize a contract for the replacement of the heating ventilation and air conditioning unit at the J. Erik Jonsson Central Library - Burden Brothers, Inc., lowest responsible bidder of four - \$907,291 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3497

Item 15: Authorize a contract for the replacement of skylights in the Area C Lobby at the Dallas Convention Center - HCI General Contractors, Inc., lowest responsible bidder of two - \$293,626 - Financing: Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3498

Item 16: Authorize Supplemental Agreement No. 2 to the contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for preparation of documents and construction administration for the conservation of the murals, bas reliefs (sculptural projections from the wall surface) and sculptures on the Centennial, Automobile, Phase I and Food and Fiber Buildings at Fair Park - \$42,110, from \$741,221 to \$783,331 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3499

Item 17: Authorize Supplemental Agreement No. 2 to the contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. to provide design, construction documents and construction administration services for demolition and reconstruction of the exhibit hall at the Tower Building, Phase III at Fair Park - \$421,877, from \$400,707 to \$822,584 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3500

Item 18: Authorize Supplemental Agreement No. 1 to the contract with Conley Design Group, Inc. to provide construction documents and construction administration services for replacement of the Terra Cotta tile for the African American Museum at Fair Park - \$9,800, from \$6,200 to \$16,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3501

Item 19: Authorize Supplemental Agreement No. 2 to the contract with Vidaud & Associates, Inc. to provide additional design and construction administration services for the Americans with Disabilities Act Implementation Program for City public buildings - \$48,554, from \$116,867 to \$165,421 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3502

Item 20: Authorize an increase in the contract with Atkins Bros. Equipment Co., Inc. for the replacement of an additional water and wastewater main in an alley between Velasco Avenue and Llano Avenue from Matilda Street to Delmar Avenue - \$151,704, from \$1,119,250 to \$1,270,954 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3503

Item 21: Authorize an Interlocal Agreement with the North Texas Tollway Authority for the construction of permanent paving improvements within the North Texas Tollway Authority right-of-way on Frankford Road from Renaissance Drive to Marsh Lane - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3504

Item 22: Authorize acquisition of one single-family residential property owned by Robin Anne Wilson, containing approximately 10,280 square feet of land, located at 1300 Snowbird 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3505

Item 23: Authorize acquisition of individual avigation easements over 3 residential properties containing approximately 1 acre of land, located in the City of Irving, for the D-FW International Airport Expansion project - \$103,750 (\$49,800 in easement acquisition payments and \$53,950 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3506

Item 24: Authorize payment of the difference between the Special Commissioners Award and the jury verdict, including interest to Royal Central Condominium Owners et. al., for approximately 878 square feet of unimproved land, for improvements to North Central Expressway, located near the intersection of North Central Expressway and Royal Lane - \$632 - Financing: 1989 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3507

Item 25: An ordinance abandoning an alley to PC Real Estate Investors Limited Partnership, the abutting owner, containing approximately 4,196 square feet of land, located near the intersection of Kings Road and Lemmon Avenue, and authorizing the quitclaim - Revenue: \$23,183 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23715.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3508

Item 26: Authorize the quitclaim of 24 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders - Revenue: \$141,749

Councilmember Forsythe Lill requested that consent agenda item 26 be considered as an individual item. Mayor Kirk stated that consent agenda item 26 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 26 was brought up for consideration.

Councilmember Loza moved to reject the bids received for Parcel No. 9 (1725 Fitzhugh) and to hold until the January 13, 1998 voting agenda meeting of the city council, Parcel No. 15 (4719 Live Oak) and authorize the quitclaim of the remaining 22 listed parcels to the highest bidders.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3509

Item 27: Authorize conveyance of a water transmission pipeline easement to the City of Rowlett, containing approximately 35,829 square feet of land, for the construction, maintenance and use of a raw water transmission pipeline on City-owned land at Lake Ray Hubbard near the intersection of Liberty Grove and Elm Grove Roads - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3510

Item 28: An ordinance closing and vacating a portion of Cridelle Drive and a portion of an alley located near Larga Drive and Webb Chapel Road, containing approximately 5,175 square feet of land, for the purpose of consolidating this area with the adjacent City-owned property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23716.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3511

Item 29: A resolution declaring approximately 27,148 square feet of City-owned land, located near the intersection of Larga Drive and Webb Chapel Road, unwanted and unneeded and authorizing the advertisement for sale by sealed bids at a minimum bid of \$67,870 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3512

Item 30: An ordinance amending Ordinance No. 20163 granted to the Adolphus Associates in order to delete portions of the licensed area and granting a private license of that area to 1412 Main Street Partners, L.P., for the use of approximately 109 square feet of land to maintain existing building encroachments located at the intersection of Main and Akard Streets - Revenue: \$670 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23717.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3513

Item 31: An ordinance granting a private license to Post Apartment Homes, L.P., for the use of approximately 504 square feet of land, to construct and maintain a canopy in Woodside Street right-of-way near its intersection with Clark Street - Revenue: \$787 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23718.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3514

Item 32: An ordinance granting a revocable license to Concept Nouveau, Inc. for the use of approximately 963 square feet of land to maintain existing overhead awnings, sign mounts, and lighting over portions of Main Street and Crowds Street rights-of-way - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23719.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3515

Item 33: Authorize a two-year lease agreement with Dallas Children's Advocacy Center, for approximately 3,731 square feet of useable office space located at 3611 Swiss Avenue with five (5) parking spaces for the Police Department's Youth and Family Crimes Division from January 1, 1999 through December 31, 2000 - \$3,856 per month for a two year total of \$92,544 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3516

Item 34: Authorize the release of a temporary easement granted to the City by the Stephens Group for the White Rock Lake Dredging Project Reclamation Site - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3517

Item 35: Authorize rescinding the contract with TJW Enterprises, Inc. for securing open and vacant structures - Financing: No cost consideration to the City

Councilmember Finkelman requested that consent agenda item 35 be considered as an individual item. Mayor Kirk stated that consent agenda item 35 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting agenda item 35 was brought up for consideration.

The following individual addressed the city council regarding TJW Enterprises, Inc.:

-- Richard Dooley, 6000 Nations Bank Plaza

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Motion seconded by Councilmember Mayes.

Mayor Kirk called the vote on Councilmember Loza'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 then called the vote on Deputy Mayor Pro Tem Salazar's 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

December 9, 1998

98-3518

Item 36: Authorize the purchase of a telescoping boom aerial work platform and self-propelled aerial work platform with the lowest responsible bidder of four - BPS Equipment Rental and Sales - Not to exceed \$59,195 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3519

Item 37: Authorize a thirty-six month price agreement for parts and labor for Elgin street sweepers with the lowest responsible bidder of three - STM Equipment, Inc. - Not to exceed \$97,107 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3520

Item 38: Authorize a thirty-six month price agreement for communicable disease exposure testing with the lowest responsible bidder of two - Laboratory Corporation of America - Not to exceed \$54,015 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3521

Item 39: Authorize a thirty-six month price agreement for random drug and alcohol testing with the lowest responsible bidder of two - SmithKline Beecham Clinical Labs - Not to exceed \$136,400 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3522

Item 40: Authorize the purchase of one Hazardous Material vehicle and two Aircraft Rescue and Fire Fighting vehicles with the lowest responsible bidders of three - Oshkosh Truck Corporation and Super Vacuum Manufacturing Co., Inc. - Not to exceed \$1,387,195 - Financing: 1993 Equipment Acquisition Contractual Obligation Notes (\$425,130), 1995 Equipment Acquisition Contractual Obligation Notes (\$424,976), 1997 Equipment Acquisition Contractual Obligation Notes (\$302,434) and Current Funds (\$234,655)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3523

Item 41: Authorize a thirty-six month price agreement for HVAC maintenance and repair for Fair Park with the lowest responsible bidder of two - Gulf Energy System, Inc. - Not to exceed \$228,221- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3524

Item 42: Authorize a thirty-six month multiple award price agreement for the purchase of microcomputer components with the lowest responsible bidders of twelve - Monarch Systems, Inc., USA Electronics, Inc., Mirco Media Solutions, Inc. - Not to exceed \$504,142 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3525

Item 43: Authorize a twenty-four month multiple award price agreement for pipe fittings with the lowest responsible bidders of four - Romar Supply, Inc., Triangle Supply Company, Inc. and Apex Supply Company - Not to exceed \$62,628 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY DALLAS

December 9, 1998

98-3526

Item 44: Authorize a thirty-six month price agreement for printing of water bill inserts with the lowest responsible bidder of seven - Tarrant Dallas Printing, Inc. - Not to exceed \$145,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3527

Item 45: Authorize a twenty-four month price agreement for sewer mainline rehabilitation with the only bidder - Insituform Texark, Inc. - Not to exceed \$1,995,400 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3528

Item 46: Authorize the purchase of ten fire pumpers through the Houston-Galveston Area Council of Governments Interlocal Agreement - Not to exceed \$2,474,875 - Financing: 1998 Equipment Acquisition Contractual Obligation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3530

Item 47: Authorize the purchase of fifteen Mobile Intensive Care Units through the Houston-Galveston Area Council of Governments Interlocal Agreement - Not to exceed \$1,130,385 - Financing: 1998 Equipment Acquisition Contractual Obligation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3531

Item 48: Authorize the purchase of two rear mount aerial ladder trucks through the Houston-Galveston Area Council of Governments Interlocal Agreement - Not to exceed \$845,889
- Financing: 1998 Equipment Acquisition Contractual Obligation Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3532

Item 49: Authorize an increase in the installment purchase contract with ZARN, Inc. for the purchase of additional roll carts for the automation of Sanitation District 4 in the amount of \$1,681,250, from \$6,725,000 to \$8,406,250 (to be paid over a five year period, subject to annual appropriations) - \$140,104 (FY 1998-99) - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3533

Item 50: Authorize the ratification of an emergency purchase for the rehabilitation of a wastewater main in the eastbound service road of I.H. 635 at Preston Road - Insituform Texark, Inc. - Not to exceed \$63,350 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3534

Item 51: Authorize the ratification of an emergency purchase for analytical services of industrial wastewater samples for the Water Utilities Department Pretreatment Program - TTI Environmental Laboratories - Not to exceed \$109,990 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3535

Item 52: Authorize settlement of a lawsuit, styled Oak Cliff Village North, Ltd. v. City of Dallas, Cause No. 93-10777-G - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3536

Item 53: Authorize settlement of a claim filed by Fain E. Wistrand, Claim No. 95-101004798-001
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3537

Item 54: Authorize settlement of a claim filed by Michael Phillips, Claim No. 95-101003825-001
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3538

Item 55: Authorize settlement of a claim filed by Ronda Franklin, Claim No. 95-101004822-001 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3539

Item 56: Authorize settlement of a claim filed by Thomas Phillips, Claim No. 95-101002542-001
- Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3539

Item 57: Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Carrington, Coleman, Sloman & Blumenthal, L.L.P., to provide legal services in the lawsuits styled (1) City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, Texas, et al., Cause No. 48-171109-97, (Fort Worth lawsuit), and (2) 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), and in the U.S. Department of Transportation Love Field Service Interpretation Proceeding, Docket No. OST-98-4363 (DOT Proceeding), and any other proceeding relating to the subject matter of this litigation, in an amount not to exceed \$750,000, increasing the original contract and supplemental agreement total from \$775,000 to \$1,525,000 - Financing: Current Funds

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

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

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

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Forsythe Lill abstaining; Kirk, Miller, Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3540

Item 58: Authorize the City Auditor's 1998-99 Annual Audit Plan as required by paragraph 4(b) of City Council Resolution 79-0723, as amended by City Council Resolution 90-4027, dated December 12, 1990 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3541

Item 59: Authorize the City Auditor's Long-Range Plan for 1999-2001 as required by Section 4 of City Council Resolution 79-0723, as amended by Council Resolution 90-4027, dated December 12, 1990 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3542

Item 60: A resolution requesting that the City Council receive notification of any correctional or rehabilitation facility being located within the city limits and providing for the process to determine, after public hearing, whether the proposed location is in the best interest of the City (pursuant to the Texas State Legislature Local Government Code 244.002 (a), effective September 1, 1997) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3543

Item 61: An ordinance awarding a franchise for 10 years to Frontier Local Services, Inc. to provide local exchange telephone services - Revenue: \$1,900,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23720.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3544

Item 62: An ordinance awarding a franchise for 10 years to Frontier Telemanagement, Inc. to provide local exchange telephone services - Revenue: \$1,377,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23721.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3545

Item 63: Authorize an amendment to the existing telecommunications franchise ordinance, #23484 held by CSW/ICG ChoiceCom, L.L.P., reflecting a change in control of the franchise operator - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23722.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3546

Item 64: Authorize a professional services contract with C2 Consulting Services, Inc. for conducting an "assessment of Community needs" as part of the renewal process of the TCI Cablevision of Dallas, Inc. (AT&T) cable television franchise - \$117,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3547

Item 65: Adoption of an ordinance either approving or denying change of control of the cable television franchise from TCI Cablevision, Inc. to AT&T Corp. - Financing: No cost consideration to the City

The following individuals addressed the city council regarding TCI Cablevision:

-- Pat Bustos-Robinson, 1565 Chenaults St., representing TCI Cablevision

Councilmember Lipscomb moved to defer the ordinance until the January 13, 1999 voting agenda meeting of the city council by the request of the city manager.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3548

Item 66: Authorize a real property tax abatement agreement with Delivery Limited, Inc., and its lessor, Viceroy Delivery, L.P. for the purpose of granting a ten-year abatement of 90% of the taxes on added value to real property for the consolidation of their operations in City of Dallas Enterprise Zone One located at 6320 Denton Drive, Dallas, Texas 75235 - Revenue: First year tax revenue estimated at \$357. Ten-year tax revenue estimated at \$3,570. (Estimated revenue foregone for ten-year abatement \$32,130) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3549

Item 67: Authorize (1) a real property tax abatement agreement with EXE Technologies, Inc., and its lessor, BLI-8787, LTD c/o Barnett Lane Investments, Inc. for the purpose of granting a ten-year abatement of 90% of the taxes the added value to the real property for the expansion of their operations in City of Dallas Enterprise Zone One located at 8787 and 8777 Stemmons Freeway, Dallas, Texas; and (2) a 100% development fee rebate to EXE Technologies, Inc. in an amount not to exceed \$70,000 - Revenue: First year tax revenue estimated at \$6,500. Ten-year tax revenue estimated at \$65,000. (Estimated revenue foregone for ten-year abatement \$584,190) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3550

Item 68: A resolution authorizing an application to the Texas Department of Economic Development (formerly Texas Department of Commerce) nominating EXE Technologies, Inc., located in the City of Dallas Enterprise Zone One located at 8787 and 8777 Stemmons Freeway, Dallas, Texas, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3551

Item 69: Authorize (1) a real property tax abatement agreement with Dynasty Consolidated Industries, Inc. dba Posture Beauty Sleep Products for the purpose of granting a ten-year abatement of 90% of taxes on added value to the real property for a manufacturing facility in City of Dallas Enterprise Zone Three located within Southport Center, Dallas, Texas; and (2) a 100% development fee rebate to Dynasty Consolidated Industries, Inc. dba Posture Beauty Sleep Products in an amount not to exceed \$26,000 - Revenue: First year tax revenue estimated at \$3,895. Ten-year tax revenue estimated at \$38,946. (Estimated revenue foregone for ten-year abatement \$350,514) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3552

Item 70: Authorize an infrastructure cost participation agreement with Southern Foods Group, L.P. dba Schepps Dairy not to exceed 30% of the eligible public infrastructure improvements or \$34,000, whichever is less, for the purpose of providing infrastructure improvements serving property located at 3114 South Haskell Avenue, Dallas, Texas 75233 in City of Dallas Enterprise Community/Enterprise Zone, payable only after completion of improvements as evidenced by a certificate of occupancy - Not to exceed \$34,000 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3553

Item 71: Authorize the transfer of the annual taxicab operating authority of Mustang Trading, Inc. d.b.a. West End Cab Company to Dallas Transit, Inc. d.b.a. West End Cab Company -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3554

Item 72: State-Thomas TIF District

- * Authorize a development agreement with Post Apartment Homes, L.P., (hereinafter "Post Properties") for the funding and construction of certain public improvements for the Heights of State Thomas, Phase V-B (Block 572) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) and establishment of appropriations - Not to exceed \$1,295,481 - Financing: Principal in an amount not to exceed \$1,295,481 to be advanced by a private developer and reimbursed with interest from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3555

Item 73: State-Thomas TIF District

- * Authorize a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) to reimburse Post Apartment Homes, L.P. for the funding and construction of certain public improvements for the Heights of State Thomas, Phase V-B (Block 572) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) - Not to exceed \$1,295,481 - Financing: Principal in an amount not to exceed \$1,295,481 to be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3556

Item 74: State-Thomas TIF District

- * Authorize a development agreement with Gables Residential Trust, for the funding and construction of certain public improvements for the Allen Street Apartments (Block 578) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) and establishment of appropriations - Not to exceed \$1,582,886 - Financing: Principal in an amount not to exceed \$1,582,886 to be advanced by a private developer and reimbursed with interest from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3557

Item 75: State-Thomas TIF District

- * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) to reimburse Gables Residential Trust for the funding and construction of certain public improvements for the Allen Street Apartments (Block 578) in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) - Not to exceed \$1,582,886 - Financing: Principal in an amount not to exceed \$1,582,886 to be advanced by a private developer and reimbursed from the State-Thomas TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the State-Thomas TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3558

Item 76: Approval of a partial release of the City's second lien on 1.536 acres of a 332 acre secured parcel located at the northeast corner of Bonnie View Road and I-20, described as Lot 1 of City Block A/8264 Site 37 in Southport Centre, formerly owned by LBJ Diamond Partnership, sold to Sharef Development Corporation in February 1997 and located within the Foreign Trade Zone and Enterprise Zone Number Three, City of Dallas, Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3559

Item 77: Authorize (1) a real property tax abatement agreement with Morning Star Productions, Inc. for the purpose of granting a ten-year abatement of 90% of the taxes on improvements to the real property for the development of a recreational event and conference center on property in City of Dallas Enterprise Zone Three located at 1800 Dowdy Ferry Road, Dallas, Texas 75217; and (2) a 100% development fee rebate to Morning Star Productions, Inc. in an amount not to exceed \$4,000 - Revenue: First year tax revenue estimated at \$326. Ten-year tax revenue estimated at \$3,260. Estimated foregone for 10-year abatement \$29,322 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3560

Item 78: Authorize an infrastructure cost participation agreement with Morning Star Productions, Inc. in an amount not to exceed 30% of the eligible public infrastructure improvements or \$25,500, whichever is less, for the purpose of providing infrastructure improvements serving property located at 1800 Dowdy Ferry Road, Dallas, Texas, payable only after completion of improvements as evidenced by a certificate of occupancy - Not to exceed \$25,500 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3561

Item 79: Authorize (1) a public hearing to be held on January 13, 1999 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 44, consisting of 2.812 acres located at 1230 East Ledbetter, City of Dallas, Texas, in order for the property to be eligible for real property tax abatement; (2) an ordinance creating City of Dallas Reinvestment Zone No. 44 on January 13, 1999; and (3) a tangible personal property tax abatement agreement and development fee rebate with Quiltcraft Industries, Inc., and its lessor, LJP Realty, Ltd., on January 13, 1999 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3562

Item 80: Authorize an amendment to the real property tax abatement agreement with Utility Trailer of Dallas, Inc., approved by the City Council on October 9, 1996, by Resolution Number 96-3283, changing the substantial completion date of improvements to the real property located at the 34000 block of Lyndon B. Johnson Freeway and Bonnie View Road from May 31, 1997 to December 31, 1998 - Financing: No cost consideration to the City (Estimated revenue foregone for the 10-year abatement \$81,786)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3563

Item 81: An ordinance amending Chapter 5A of the Dallas City Code to update citations to state air pollution regulations adopted by the City - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23723.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3564

Item 82: Authorize Supplemental Agreement No. 3 to the Master Agreement with Dallas Youth Services Corps, Inc. to include funding for the provision of minor home repairs from the South Dallas/Fair Park Trust Fund; public improvement and human service projects for the Department of Park and Recreation; various program support services for the Mayor and City Council office; and human services projects for the Department of Environmental and Health Services, and extend the term of the agreement through September 30, 1999 - \$351,556 - Financing: 1998-99 Community Development Grant Funds (\$60,000), South Dallas/Fair Park Trust Funds (\$50,000), and Current Funds (\$241,556)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3565

Item 83: Authorize the acceptance of grant funds from the U.S. Department of Health and Human Services/Public Health Service to continue providing primary health care, dental care, mental health and substance abuse services to the homeless for the period November 1, 1998 through October 31, 1999 and execution of the grant agreement - \$586,974 - Financing: U.S. Department of Health and Human Services, Public Health Service Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3566

Item 84: Authorize application for and acceptance of grant funds from the Texas Commission on the Arts, for general operation and project support to arts and cultural organizations in the city of Dallas for the period September 1, 1999 through August 31, 2000, in the amount of \$145,325 - Financing: Texas Commission on the Arts Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3567

Item 85: Authorize the second amendment to the long term use agreement with the Dallas Symphony Association, Inc. - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 85 be considered as an individual item. Mayor Kirk stated that consent agenda item 85 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 consent agenda item 85 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the January 13, 1998 voting agenda meeting of the city council.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3568

Item 86: Approve a major sports celebration in honor of the Dallas Cowboys between February 1, 1999 and February 12, 1999 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3569

Item 87: Employee Benefits Programs

- * Authorize an increase in the contract with Merck-Medco Managed Care, LLC for prescription drug program services for the 1998 benefit plan year - \$850,000, from \$7,500,000 to \$8,350,000 - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3570

Item 88: Employee Benefits Programs

- * Authorize an increase in the contract with Buck Consultants, Inc. to provide actuarial and benefits consulting services planned for the 1999 benefit plan year - \$250,000, from \$250,000 to \$500,000 - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3571

Item 89: Authorize 1) application for and acceptance of a telecommunications grant from the Telecommunications Infrastructure Fund Board (TIFB) which was created in May, 1995 by the Texas State Legislature in HB2128; 2) execution of a grant agreement with the TIFB for enhancing internet connectivity in the J. Erik Jonsson Central Library and twenty-two branches of the Dallas Public Library - \$251,000 - Financing: state Telecommunications Infrastructure Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3572

Item 90: A resolution appointing Fred Tinsley as full-time municipal court judge - Financing: No additional cost consideration to the City (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A)

Councilmember Blumer requested that consent agenda item 90 be considered as an individual item. Mayor Kirk stated that consent agenda item 90 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

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

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

Later in the meeting consent agenda item 90 was brought up for consideration.

Councilmember Lipscomb moved to appoint Fred Tinsley as a full-time municipal court judge.

Motion seconded by Councilmember Loza.

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

Voting Yes:	[7]	Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb
Voting No:	[8]	Kirk, Poss, Miller, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Absent:	[0]	
Absent when vote taken:	[0]	

Mayor Kirk declared the motion failed.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3573

Item 91: Authorize Supplemental Agreement #8 to the Interlocal Agreement with the Dallas Housing Authority extending the term from March 25, 1999 to March 24, 2000 and adding funding for marketing and rental bonus payments to property owners leasing three and four bedroom units in non-minority areas to participants in the Section 8 Program - \$71,400 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3574

Item 92: Authorize a public hearing to be held on January 13, 1999, to receive citizen comments, and authorize Council action on January 13, 1999, on the proposed use of a portion of the Katy Trail by TU Electric for installation of a permanent utility pole - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3575

Item 93: Authorize a second amendment to the contract with the State Fair of Texas, Inc. to convey the right to conduct the Annual Cotton Bowl Classic football game to the City of Dallas - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3576

Item 94: Authorize an amendment to City Council Resolution No. 981751 approved on June 10, 1998 and to the authorized documents to correct the map, legal description and survey used for the closing of the sale and lease-back agreement documents with Post Properties for the Wilson Building located at 1623 Main Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3577

Item 95: Authorize Historic Preservation Tax Incentives for 1325 (15 year abatement), 1401 (10 year abatement), 1409 (15 year abatement), and 1601 (a portion of the property will receive a 10 year and the remainder of the property will receive a 15 year abatement) South Lamar, Dallas, Texas (South Side on Lamar) - Revenue: First year tax revenue at \$0 (Estimated revenue foregone for 10 year (\$449,949) and 15 year (\$8,755,403) abatements is \$9,205,352) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3578

Item 96: Authorize renewal of an Interlocal Agreement with Dallas County for computer services for the Police Department to access criminal history and other County records to more efficiently perform its law enforcement functions - Not to exceed \$39,355 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3579

Item 97: Authorize application for and acceptance of the Internet Crimes Against Children grant in the amount of \$299,474 to respond to the sexual abuse and exploitation of children which is facilitated by the use of computer technology from the U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention for the period October 1, 1998 through September 30, 1999, and execution of the grant agreement - \$299,474 - Financing: U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3580

Item 98: Public Hearing - City of Dallas Reinvestment Zone No. 43

- * 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. 43, Commercial Zone ■B●, consisting of .3344 acres located at 2720 Taylor Street, Dallas, Texas, for the purpose of granting tax abatement on the added value to the tangible personal property to Brilla International, Inc., and its lessor, Jim Lake Company - Financing: No cost consideration to the City
[98-3580]

Item 99: * An ordinance designating property located at 2720 Taylor Street, Dallas, Texas, consisting of .3344 acres, as City of Dallas Reinvestment Zone No. 43, Commercial Zone ■B●, for commercial-industrial tax abatement for the purpose of granting tangible personal property tax abatement to Brilla International, Inc., and its lessor, Jim Lake Company, establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City
[98-3580]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3581

Item 100: Public Hearing - City of Dallas Reinvestment Zone No. 43

- * Authorize a tangible personal property tax abatement agreement with Brilla International, Inc., and its lessor, Jim Lake Company, for the purpose of granting a 3-year abatement of 75% of the taxes on added value to tangible personal property new to the site for the development of a new manufacturing/converting facility located within City of Dallas Reinvestment Zone No. 43, Commercial Zone ■B•, located at 2720 Taylor Street, Dallas, Texas, for the development of a manufacturing/converting facility - Revenue: First year tax revenue estimated at \$568. Three-year tax revenue estimated at \$1,704. (Estimated revenue foregone for three-year tangible personal property abatement \$5,112) - Financing: No cost consideration to the City The following individuals addressed the city council regarding the City of Dallas Reinvestment Zone No. 43:

No one addressed the city council regarding the City of Dallas Reinvestment Zone No. 43.

Councilmember Lipscomb moved to defer the item until the January 13, 1999 voting agenda meeting of the city council at the request of the city manager.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3582

Item 101: Public Hearing - Oak Cliff Gateway TIF District

- * A public hearing to receive citizen comments on boundary amendments to Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas ("Oak Cliff Gateway TIF District") to exclude property, specifically Block 31/3351, part of Block 32/3352, Blocks D/3414, C/3414, B/3414, and part of Block F/3416 from the "Oak Cliff Gateway TIF District" and corresponding amendments to the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan ("Oak Cliff Gateway TIF District Plan") - Financing: No cost consideration to the City

Item 102: * An ordinance (1) amending the boundaries of Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas ("Oak Cliff Gateway TIF District") to exclude the properties (with noted exceptions) bounded by the adjacent rights-of-way of Beckley Avenue, Greenbriar Street, Zang Boulevard, Oakenwald Street, Plowman Avenue, and Tilden Street; specifically Block 33/3351, part of Block 32/3352, Blocks D/3414, C/3414, B/3414 and part of Block F/3416 from the boundaries of the Oak Cliff Gateway TIF District; and (2) amending the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan to incorporate the exclusion of the properties listed above - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the oak Cliff Gateway TIF District:

- Joe Martin, 3105 Gladiolus Ln.
- Elsie Risby, 2900 Dilido Rd.
- John Clark, 660 S. Zang Blvd., representing the Oak Cliff Chamber of Commerce
- Dan Smith, 1616 Rio Vista Dr.
- Michael Mendoza, 520 East 5th St.
- Jon Radke, 705 N. Marsalis Ave.
- Brad Forland, representing JPI, 600 E. Las Calinas Blvd.

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

Motion seconded by Councilmember Lipscomb.

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

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

Assigned ORDINANCE NO. 23724.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3583

Item 103: Public Hearing - Oak Cliff Gateway TIF District

- * Authorize an agreement with Jefferson at Kessler Heights, Phase I, L.P., a Delaware corporation and Jefferson at Kessler Heights, Phase II, L.P., a Delaware corporation ("JPI") contingent on JPI closing on the purchase of the property by April 30, 1999, to provide for (1) a 100% development fee rebate not to exceed \$130,000; and (2) a tax abatement of 100% of the taxes on the added value of the real property for a period of ten years for property located in Tier I of the Intown Housing Program~~s~~ incentive boundaries and in an Enterprise Community; such area is bounded by Beckley Avenue, Tilden Street, Plowman Avenue, Oakenwald Street, Zang Boulevard, and Greenbriar Avenue and is also known as Jefferson at Kessler Heights - Not to exceed \$130,000 - Financing: Public/Private Partnership Funds - Revenue: Estimated tax revenue foregone on added value for 10 year abatement, \$2,900,000

The following individual addressed the city council regarding the Oak Cliff Gateway TIF District:

- John Clark, 660 S. Zang Blvd., representing the Oak Cliff Chamber of Commerce

Deputy Mayor Pro Tem Salazar moved to close the public hearing.

Motion seconded Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3584

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 104-110 was presented.

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

- Agenda item 104: Zoning Case Z978-341/10682-C(LS)
- Agenda item 105: Zoning Case Z978-348/4518-NC(SS)
- Agenda item 106: Zoning Case Z978-350/10704-SW(JP)
- Agenda item 107: Zoning Case Z978-351/10706-C(SS)
- Agenda item 108: Zoning Case Z978-352/2512-SW(SS)
- Agenda item 109: Zoning Case Z978-355/10709-SW(SS)
- Agenda item 110: Zoning Case Z978-361/10194-SW(ML)

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

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

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

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3585

Item 104: Zoning Case Z978-341/10682-C(LS)

The consent zoning docket, consisting of agenda items 104-110, was presented.

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

A public hearing was called on zoning case Z978-341/10682-C(LS), an application for and an ordinance granting a Specific Use Permit for a Public School (East Dallas Community School) with before and after school child care on property presently zoned as Conservation District No. 6, the Hollywood/Santa Monica Conservation District, at the east corner of Tenison Memorial Road and Lindsley Avenue.

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

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

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

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

Assigned ORDINANCE NO. 23725.

[The city secretary read into the record that item 104 is an application for and an ordinance granting a Specific Use Permit for a public school which includes before and after school child care on property presently zoned as Conservation District No. 6, the Hollywood/Santa Monica Conservation District, at the east corner of Tenison Memorial Road and Lindsley Avenue. Planning staff has requested that it be read in the record that the ordinance for this item has been revised to delete Specific Use Permit condition No. 6 to remove the height limitation of 36 feet because it conflicts with the more restrictive height limitation of 24 feet in Conservation District No. 6, which is the underlying zoning district.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3586

Item 105: Zoning Case Z978-348/4518-NC(SS)

Zoning Case Z978-348/4518-NC(SS), an application for and an ordinance granting an amendment to and the expansion of Specific Use Permit No. 1230 for a Mini-Warehouse Use on property presently zoned an MU-1 Mixed Use District on the west side of Coit Road, north of McCallum Boulevard.

(The city plan commission recommended approval, subject to a revised site plan and amending conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23726.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3587

Item 106: Zoning Case Z978-350/10704-SW(JP)

Zoning Case Z978-350/10704-SW(JP), an application for and an ordinance granting a TH-3(A) Townhouse District on property presently zoned an MF-2(A) Multifamily District on property located north of Kiest Boulevard and east of Walton Walker Boulevard.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23727.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3588

Item 107: Zoning Case Z978-351/10706-C(SS)

Zoning Case Z978-351/10706-C(SS), an application for and an ordinance granting a Specific Use Permit for a Private Recreation Club or Area on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast side of Gilbert Avenue, southeast of Herschel Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23728.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3589

Item 108: Zoning Case Z978-352/2512-SW(SS)

Zoning Case Z978-352/2512-SW(SS), an application for and an ordinance granting an amendment to the conditions and development plan for Planned Development District No. 464 for a Hospital and Other Related uses to provide that signs must comply with the provisions for business zoning districts at the southeast corner of Wheatland Road and Bolton Boone Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23729.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3590

Item 109: Zoning Case Z978-355/10709-SW(SS)

Zoning Case Z978-355/10709-SW(SS), an application for and an ordinance granting an IR Industrial Research District on property presently zoned an MC-1 Multiple Commercial District at the southeast corner of Cockrell Hill Road and Love Bird Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23730.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3591

Item 110: Zoning Case Z978-361/10194-SW(ML)

Zoning Case Z978-361/10194-SW(ML), an application for and an ordinance granting an amendment to Specific Use Permit No. 1362 for a Public School (West Oak Cliff Charter School) on property presently zoned an R-5(A) Single Family District at the northeast corner of West Illinois Avenue and Andrews Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23731.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3592

Item 111: Public Hearing - Zoning Case Z978-160/10222-NW(RB)

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

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Elsie Risby, 2900 Dilido Rd.
- Charles Quaid, 5910 N. Central Expwy., representing James Price/Charles Bush/Safari Bar and Grill fka Lakeside Night Club

Appearing in favor of the city plan commission recommendation:

- Michael Jung, 4300 Nations Bank Plaza, representing American Bank N.A.

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

Motion seconded by Councilmember Blumer.

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

Voting Yes:	[10]	Poss, Salazar, Loza, Miller, Duncan, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[5]	Kirk, Hicks, Mallory Caraway, Mayes, Lipscomb
Absent:	[0]	
Absent when vote taken:	[0]	

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3593

Item 112: Public Hearing - Zoning Case Z978-256/10600-NW(ML)

A public hearing was called on zoning case Z978-256/10600-NW(ML), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an R-5(A) Single Family District and a CR Community Retail District at the northeast corner of Singleton Boulevard and Peoria 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.)

No one appeared in opposition to or 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 recommendation, pass the ordinance and approve the resolution.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23732.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3594

Item 113: Public Hearing - Zoning Case Z978-302/9670-SW(RB)

A public hearing was called on zoning case Z978-302/9670-SW(RB), an application for a Specific Use Permit for a Multifamily Use on property presently zoned as Planned Development District No. 407 for Multifamily and Townhouse Uses on the south side of Kiest Boulevard, east of Boulder Drive.

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3595

Item 114: Public Hearing - Zoning Case Z978-305/537-SE(LS)

A public hearing was called on zoning case Z978-305/537-SE(LS), an application for and an ordinance granting a CR Community Retail District on property presently zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of Masters 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.)

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

Appearing in favor of the city plan commission recommendation.

Eugene Thomas, 207 S. Tyler St.

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

- Approval, subject to deed restrictions volunteered by the applicant and an additional deed restriction offered by the applicant•

pass the ordinance with the resolution accepting the deed restriction instrument with that change, to come back at a later date.

Motion seconded by Councilmember Duncan and unanimously adopted.

Assigned ORDINANCE NO. 23733.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3596

Item 115: Public Hearing - Zoning Case Z978-260/10597-NW(ML)

A public hearing was called on zoning case Z978-260/10597-NW(ML), an application for an amendment to Planned Development District No. 67 to amend the conditions for Tract II in order to permit NS Neighborhood Service District uses and to create a new Tract IV that allows R-5 Single Family District uses, duplex uses, and multiple family uses at the southwest corner of University Boulevard and Roper Street.

(The city plan commission recommended denial without prejudice.)

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 January 13, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3597

Item 116: Public Hearing - Zoning Case Z978-261/10603-NW(LS)

A public hearing was called on zoning case Z978-261/10603-NW(LS), an application for a Planned Development District for CS Commercial Service District Uses and MF-2(A) Multifamily District Uses on property presently zoned a CS Commercial Service District at the southwest corner of University Boulevard and Webster Street.

(The city plan commission recommended denial without prejudice.)

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 January 13, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3598

Item 117: Public Hearing - Zoning Case Z978-296/10635-NE(ML)

A public hearing was called on zoning case Z978-296/10635-NE(ML), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District uses and a Transit Passenger Station or Transfer Center on property presently zoned an MU-3 Mixed Use District, an RR Regional Retail District, and a GO(A) General Office District, and a resolution rescinding City Council Resolution No. 951957 that approved a site plan for the Park Lane DART Rail Transit Passenger Station at the northwest corner of Park Lane and Greenville Avenue.

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

(The city plan commission recommended denial.)

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

Councilmember Blumer moved to close the public hearing and overrule the city plan commission for denial without prejudice zoning case Z978-296/10635-NE(ML), approved the applicant's request for a Planned Development District for a transit passenger station or transfer center and MU3 Mixed Use District uses subject to a Development and Landscape plan and conditions as distributed to councilmembers entitled ■Alternate Conditions for DART Transit Passenger Station, Park Lane and Greenville Avenue•[which is incorporated in the ordinance], and adopt the ordinance implementing the zoning change and a resolution rescinding resolution number 95-1957, which adopted a site plan and conditions for a transit passenger station on this site.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23734.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3599

Item 118: Public Hearing - Zoning Case Z978-324/536-C(EM)

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. This application was considered by the City Council at a public hearing on November 11, 1998, and was taken under advisement until December 9, 1998, with the public hearing open.)

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 January 27, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3600

Item 119: Public Hearing - Development Code Amendment

A public hearing was called on consideration of an amendment to the Dallas Development Code amending Section 51A-4.210(7), Commercial amusement (inside), by requiring a Specific Use Permit for a bingo parlor in the CR Community Retail District.

(The city plan commission recommended no change.)

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

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

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

Appearing in favor of the city plan commission recommendation:

- Cecile Rosenzweig, 7127 Royal Ln.
- Robert Lankeford, 11330 Quail Run, representing Texas Center for the Physically Impaired
- Jeri Finkelstein, 7425 Kentshire Ln., representing Jewish Women International
- Robert Brewer, 5418 Barcelona Dr.
- Larry Rogers, 9655 Leaside Dr.
- Kirk Williams, 5400 Renaissance Tower, representing Lakewood Village Joint Venture

Councilmember Walne moved to close the public hearing, overrule the city plan commission, and amend the Development Code, with the following change:

- That a provision be added providing a one-year waiver of the SUP filing fee for existing bingo parlors.

and bring the ordinance back on December 16, 1998.

Motion seconded by Councilmember Duncan.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

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

Voting Yes:	[10]	Kirk, Poss, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Walne, Finkelman, Forsythe Lill
Voting No:	[5]	Salazar, Miller, Lipscomb, Greyson, Blumer
Absent:	[0]	
Absent when vote taken:	[0]	

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3601

Item 120: Public Hearing - Development Code Amendment

A public hearing was called on consideration of an amendment to the Dallas Development Code amending Section 51A-4.211, Transportation Uses, by amending various regulations for the use, including, but not limited to the definition, zoning districts where the use is permitted, changing the off-street parking requirements, and placing additional provisions on the Commercial bus station and terminal use, and an ordinance implementing the proposal.

(The city plan commission recommended approval, subject to additional restrictions, including requiring a Specific Use Permit in the CS Commercial Service District.)

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

Appearing in favor of the city plan commission recommendation:

- Pam Conley, 901 N. Madison Ave.
- Maureen Jones, 1136 Woodlawn Ave.
- Gary Burns, 1103 Kings Hwy.
- Norma Rangel, 701 W. 8th St.

Deputy Mayor Pro Tem Salazar moved to close the public hearing, amend the recommendation of the city plan commission, with the following change:

■Providing a one-year waiver of the SUP filing fee•
and pass the ordinance with that change.

Motion seconded by Councilmember Mayes.

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

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

Assigned ORDINANCE NO. 23735.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3602

Item 121: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

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

The city secretary noted that the report indicated with the notation "OK" that a person nominated or renominated met all qualifications for service. The city secretary also noted that the term for each nominee would end August 31, 1999.

Councilmember Mayes moved to appoint James A. Munez, David Trevino, David W. Westbrook Jr., Steve G. Krone, James M. Hightower, Raymond Cano Ornelaz, Jr., Lloyd Harmon, Arthur L. Jones, Max S. Friedman, Charlotte Glass, Donald Lee Montgomery, Steve Chandler and James H. Weaver Jr., to the Building Inspection Advisory, Examining and Appeals Board

Motion seconded by Councilmember Walne and unanimously adopted.

Councilmember Mayes moved to appoint Sherwood Chester Jones, Edward R. Yost, Keller Webster, Sue Brewer, Hazel Jeane Thomas and Ernesto M. Lopez to the Fire Code Advisory and Appeals Board.

Motion seconded by Councilmember Walne and unanimously adopted.

Councilmember Walne moved to appoint nominees to individual appointment positions in the report who meet all qualifications for service to the boards and commissions of the city for the term ending August 31, 1999.

Motion seconded by Councilmember Blumer and unanimously adopted.

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

98-3621 CDC COMMUNITY DEVELOPMENT COMMISSION
98-3622 LMC LANDMARK COMMISSION
98-3623 BIA BUILDING INSPECTION ADVISORY, EXAMINING APPEALS BOARD
98-3624 FCA FIRE CODE ADVISORY AND APPEALS BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3603

Item 122: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.017, T.O.M.A.)

Councilmember Lipscomb moved to appoint Huelon Andrew Harrison to the DART Board.

Motion seconded by Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3604

Item 123: Authorize a twenty-four month multiple award price agreement for building material with the lowest responsible bidders of six - Gulf States Door Co., Craddock Lumber Company's, Phillips Lumber Co., Inc., Alexander Lumber Company, RDL Supply, Screw Products International - Not to exceed \$88,741 - Financing: Current Funds (Tie Bids)

The city secretary announced that the city manager had notified her that there was two items of building materials that resulted in identical bids, and that, in accordance with Section 271.091 of the Texas Local Government Code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

Neither, the two bidders who submitted identical bids, elected to participate in the drawing. The city secretary announced that the name of the tying bidders had been placed in a sealed envelope. Mayor Pro Tem Poss drew the name of the winning bidder from the two names in the envelope.

The city secretary announced the successful bidders, as determined in the drawing, was:

Line Item 99 Craddock Lumber Company
Line Item 116 Phillips Lumber Company

Councilmember Mayes moved to award the price agreement to Craddock Lumber Company and Phillips Lumber Company the low bidders as determined from the proposal of the bidders and by the drawing to break the tie.

Motion seconded by Councilmember Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3605

Item 124: An ordinance amending Chapter 2 of the Dallas City Code to reduce the mandatory training period for permit and license appeal board members (Mayor Pro Tem Poss, and Councilmembers Blumer, Duncan, Loza, Walne, Miller, and Mayes)

Councilmember Blumer moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23736.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3606

Item 125: A resolution creating a task force to review and recommend possible changes or additions to ethics laws applicable to city officers and employees, and providing for the membership and duties of the task force (Mayor Kirk)

Councilmember Loza moved to approve the resolution, providing that councilmembers will not appoint themselves to the Task Force.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3607

Item 126: Appointment of members to the task force created to review and recommend possible changes and additions to ethics laws applicable to city officers and employees (Mayor Kirk)

Councilmember Mayes moved to approve the item by appointing members to the Task Force appointed by city councilmembers:

Judge John Creuzot appointed by Mayor Kirk
Harriet Miers appointed by Mayor Pro Tem Poss
Dr. Jose Gutierrez appointed by Deputy Mayor Pro Tem Salazar
Clark Birdsall appointed by Councilmember Miller
Michael Jung appointed by Councilmember Duncan
Chris Luna appointed by Councilmember Hicks
Albert Black, Jr. appointed by Councilmember Mayes
Judge Eric Moyer appointed by Councilmember Lipscomb
Donna Halstead appointed by Councilmember Walne
Sid Stahl appointed by Councilmember Finkelman
Max Wells appointed by Councilmember Greyson
Clifford Strickland appointed by Councilmember Blumer

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

[Councilmembers Loza, Mallory Caraway and Forsythe Lill will make appointments by January 1999.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3608

Item 127: 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 moved to approve the item.

Motion seconded by Councilmember Lipscomb.

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]	
Absent:	[0]	
Absent when vote taken:	[0]	

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3609

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

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

A closed session was held as authorized by Chapter 551, ■OPEN MEETINGS,• of the Texas Government Code (Texas Open Meetings Act) to discuss the following matters:

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)

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3610

Addendum addition 1: An ordinance abandoning a portion of a utility easement to Carleton-Cityplace II, Ltd., the abutting owner, containing approximately 5,008 square feet of land, located near the intersection of North Peak Street and Lemmon Avenue - Revenue: \$650 plus the \$20 ordinance publication fee

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23737.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3611

Addendum addition 2: An ordinance abandoning a portion of Midbury Drive to Marc Robert Stanley, P.C., the abutting owner, containing approximately 10,110 square feet of land, located near the intersection of Northaven Road and St. Michaels Drive, providing for the dedication of approximately 359 square feet of land needed for alley right-of-way and sight easement, and authorizing the quitclaim - Revenue: \$53,874 plus the \$20 ordinance publication fee

Councilmember Blumer moved to pass the ordinance.

Motion seconded by Councilmember Hicks and unanimously adopted.

Assigned ORDINANCE NO. 23738.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3612

Addendum addition 3: A resolution naming the art space designated as Artists Square as The Annette Strauss Artists Square to honor and acknowledge her contributions to and support of the Dallas arts community, including her role in establishing a foundation for Dallas' internationally acclaimed cultural community; her more than 45 years of volunteer service to and vision for the arts; and her efforts in establishing performance space for local community based arts groups - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Annette Strauss Artists Square:

- Adlene Harrison, 5841 Burgundy Rd.
- Pat Porter, (no address given)
- Sherry Shannon, 7125 Briar Cove Dr.
- Craig Holcomb, 5033 Milam St.
- Nancy Davis, 1717 N. Harwood, representing Dallas Museum of Arts
- Jeff West, 7045 Gaston Pkwy.
- Dean Vanderbilt, 9602 Bill Browne Ln.
- Zenetta Drew, 3852 Treeline Dr.
- Patricia Meadows, 2707 State St.
- Kate Crosland, 6815 Baltimore Ave., University Park
- Diane Ragsdale, 3611 Dunbar St.

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3613

Addendum addition 4: A resolution imposing a moratorium on the acceptance of applications for building permits and certificates of occupancy for nonresidential uses in the Lower West Greenville area (*described as an area generally bounded by the alley north of Richmond Street on the north, the centerline of Greenville Avenue on the east, the westward prolongation of Ross Avenue on the south, and the alley west of Summit Avenue on the west*), and directing the city manager and the city plan commission to perform appropriate analyses, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the city council regarding appropriate zoning in the Lower West Greenville area and regarding amendments to the Residential Adjacency Review (RAR) standards (Mayor Pro Tem Poss and Councilmembers Forsythe Lill, Loza, Lipscomb and Finkelman)

The following individuals addressed the city council regarding the resolution imposing a moratorium:

- Bill Hutchinson, 4807 W. Lovers Ln.
- Susan Reese, 8626 Douglas Ave.
- Steven Kahn, 2001 Lower Greenville Ave.
- Cheryl Kellis, 1239 Summit Ave.
- Bill Dickerson, 2000 Euclid St.
- Joan Williams, 9046 Dunmore Dr.
- Janice Browning, 2009 Summit Ave.
- Raul Ramirez, 5623 Richmond Ave.

Councilmember Loza moved to approve the resolution.

Motion seconded by Councilmember Forsythe Lill.

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

Voting Yes:	[11]	Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[1]	Lipscomb
Absent:	[0]	
Absent when vote taken:	[3]	Kirk, Miller, Mayes

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3614

Addendum addition 5: Authorize a contract for restoration of the Automobile and Centennial Buildings, Phase I at Fair Park to include patching and painting of the exterior plaster, partial reroofing, demolition of the existing floor slab and addition of a new floor slab, interior lighting, electrical work and a heating system - Meridian Commercial, Inc., lowest responsible bidder of four - \$2,800,000 - Financing: 1995 Bond Funds (\$560,000) and Intermodal Surface Transportation Efficiency Act Grant Funds (\$2,240,000)

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Kirk, Miller absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3615

Addendum addition 6: Authorize (1) an agreement with the United States of America, acting through the United States Navy, modifying the existing lease for the Dallas Naval Air Station by releasing approximately 385 acres at the Dallas Naval Air Station, (2) accept conveyance, from the Navy, of approximately 14 acres of land at the southern end of the main runway, (3) accept conveyance, from the Navy, of approximately 4 acres of land on the north side of Jefferson Boulevard, (4) acceptance by the City of its reverter interest and/or an interim lease on approximately 31 acres conveyed by the City to the United States of America in 1940, and (5) a 40 year lease with Millennium Holdings Corporation for this property - Revenue: \$1,000,000 annually, less amortization of needed repairs and improvements of \$500,000 annually

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3616

Addendum addition 7: A resolution imposing a moratorium on the acceptance of applications for sign permits for detached, nonpremise signs within 660 feet of the President George Bush Turnpike right-of-way, as described in the moratorium; directing the city manager and the city plan commission to perform appropriate analyses, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the city council regarding appropriate amendments to the sign regulations governing detached, nonpremise signs in the area adjacent to the President George Bush Turnpike right-of-way, as described in the moratorium

Councilmember Greyson moved to approve the resolution.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[10]	Poss, Loza, Duncan, Hicks, Mallory Caraway, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[1]	Lipscomb
Absent:	[0]	
Absent when vote taken:	[4]	Kirk, Salazar, Miller, Mayes

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3617

Addendum addition 8: Authorize conveyance of a drainage easement containing approximately 8,400 square feet of land and a wastewater easement containing approximately 33,488 square feet of land to the City of Rowlett, for the construction and maintenance of storm water drainage and wastewater facilities on City-owned land at Lake Ray Hubbard, located near the intersection of Suzanne Drive and Rowlett Road - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3618

Addendum addition 9: Authorize (1) a contract for the construction of street paving, streetscaping, service drive replacement, storm drainage, water and wastewater main improvements on Hall Street from Gaston Avenue to Worth Street and the construction of a 54-inch storm drainage system on Worth Street which is a sub-system of the Mill Creek Drainage Relief System with Gibson & Associates, Inc., lowest responsible bidder of three in an amount of \$1,756,481, (2) the assignment of the construction contract to Baylor Health Care System as the City's agent and construction manager, for all purposes including inspection, supervision and coordination of construction work, and (3) establish appropriations in the amount of \$1,045,912 in the Capital Projects Reimbursement Fund - \$1,756,481 - Financing: 1998 Bond Funds (\$173,063), Water Utilities Capital Construction Funds (\$22,242), Water Utilities Capital Improvement Funds (\$515,264), Private Funds (\$1,045,912), (\$953,861 to be reimbursed from the proceeds of the sale of 1998 General Obligation Bonds upon the completion and acceptance of the project)

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.(Kirk, Miller, Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3619

Addendum addition 10: 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

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Kirk, Miller, Mayes absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 9, 1998

98-3620

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).

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

EXHIBIT C