

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 16, 1998

98-3655

CITY COUNCIL BRIEFING
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 9:20 a.m.

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

The invocation was given by the Rev. Claude Maples.

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 10:49 a.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 16, 1998

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 16, 1998

EXHIBIT B

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3656

Agenda item (3): Special Presentations

At the beginning of each briefing meeting of the city council a time is set aside for the mayor to recognize special individuals or groups, to read mayoral proclamations, to confer honorary citizenships, and to make special presentations.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3657

OPEN MICROPHONE

In accordance with Subsection 6.3 of the City Council Rules of Procedure, the city council provided an opportunity for the following individuals to present concerns or address issues during an "open microphone" period.

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Elsie Risby, 2900 Dilido Rd.
SUBJECT: What does, "Official" mean?

SPEAKER: Carol Frank, 6500 Harry Hines Blvd.
REPRESENTING: Homeless Consortium
SUBJECT: Annette Strauss

SPEAKER: Mary Hopkins, 936 St. Augustine Rd.
SUBJECT: DART - Handi Rides

Rule suspended to allow end speaker to speak at beginning of meeting.

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption - President Clinton/E.P.a./K.K.K.Merrill Lynch/RSR Lead Smelter in West Dallas

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3658

Action Item 1. Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.017, T.O.M.A.)

The city secretary distributed a report showing boards and commissions nominations for the 1997-99 board term, updated through December 16, 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.

Mayor Kirk moved to appoint James Eugene Thomas as chair of the Urban Rehabilitation Standards Board.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

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

98-3670 Board Officers

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3659

Action Item 2. Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.017, T.O.M.A.)

There were no appointment of members to the DART Board.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3660

Briefings: A. Department of Housing Review
 Part I: Programs and Operations (December 16, 1998)
 Part II: Issues and Policies (January 20, 1999)

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3661

Briefings: B. Morning Park Public/Private Partnership

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3662

Action Item 3: Authorize an Interlocal Agreement with the Texas Department of Transportation for the design and construction of paving and other related improvements, water and wastewater system enhancements on Cockrell Hill Road from Interstate 30 to Davis Street - Financing: No cost consideration to the City

Councilmember Miller moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3663

Action Item 4: Authorize (1) Supplemental Agreement No. 1 to the Participation Agreement with Morning Park, Inc. for the design and construction of paving and other related improvements, water and wastewater system enhancements on Cockrell Hill Road from Interstate 30 to Davis Street, (2) the receipt and deposit of funds from Morning Park, Inc. in an amount not to exceed \$1,151,000 (This is a cash contribution which will be added to donated right-of-way at an estimated value of \$559,000), and (3) increase appropriations in the amount of \$1,151,000 in the Capital Projects Reimbursement Fund - \$1,926,000 - Financing: Private Funds (\$1,151,000), Water Utilities Capital Construction Funds (\$775,000)

Councilmember Miller moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3664

Action Item 5: Authorize (1) a real property tax abatement agreement with Pinnacle Park Limited Partnership, a Texas limited partnership for the purpose of granting a ten-year tax abatement of 90% of taxes on added value to the real property for Phase 1 (Buildings A, H, I and E) of a mixed use office, tech, manufacturing and distribution development in City of Dallas Enterprise Zone One located within Pinnacle Park at 3300-4300 West Dallas Boulevard, Dallas, Texas; and (2) a 100% development fee rebate to Pinnacle Park Limited Partnership, a Texas limited partnership in an amount not to exceed \$55,000 - Revenue: First year tax revenue estimated at \$27,262. Ten-year tax revenue estimated at \$272,622 (Estimated revenue foregone for ten-year abatement \$2,453,598) - Financing: Public/Private Partnership Funds

Councilmember Miller moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3665

Action Item 6: Authorize an infrastructure cost participation agreement with Pinnacle Park Limited Partnership, a Texas limited partnership in an amount not to exceed 30% of the cost of the eligible public infrastructure improvements or \$2.2 million, whichever is less, for the purpose of providing infrastructure improvements serving property located within Pinnacle Park, at 3300-4300 West Davis Boulevard, Dallas, Texas, payable only after verified completion of the improvements - Not to exceed \$2,200,000 - Financing: 1995 Bond Funds

Councilmember Miller moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3666

Action Item 7: An ordinance amending Dallas Development Code Section 51A-4.210(7), Commercial amusement (inside), by requiring a Specific Use Permit for a Commercial amusement (inside)-bingo parlor, when the use is located in a CR Community Retail District and waiving the filing fee for the Specific Use Permit application for existing uses for one year after passage of the ordinance - Financing: No cost consideration to the City

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Duncan.

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

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23739.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3667

Action Item 8: A resolution imposing a moratorium on the acceptance of applications for building permits and certificates of occupancy for the bus or rail transit vehicle maintenance or storage facility use; 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 zoning regulations governing the bus or rail transit vehicle maintenance or storage facility use

The following individuals addressed the city council regarding the moratorium:

- Pam Conley, 901 N. Madison Ave.
- William Cothrum, 500 S. Ervay St.

Councilmember Miller moved to approve the resolution.

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

Mayor Kirk declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3668

Action Item 9: A resolution amending Resolution No. 98-3613 to expand the area covered by the moratorium on the acceptance of applications for building permits and certificates of occupancy for nonresidential uses in the Lower West Greenville Area by changing the area described in that moratorium to read as follows:

An area generally bounded by the centerline of Belmont Avenue on the north, the centerline of Matilda Street on the east, the centerline of Ross Avenue and its westward prolongation on the south, and the alley west of Summit Avenue and its northward and southward prolongations on the west

Councilmember Forsythe Lill moved to approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 16, 1998

98-3669

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
- City of Dallas v. GTE Southwest Incorporated, Cause No. 02-97-00379-CV
- Status of water rights dispute between the City of Dallas and Park Cities Municipal Utility District

The posted closed session was not held.

MINUTES OF THE DALLAS CITY COUNCIL

1/6/99 9:22 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

WEDNESDAY, DECEMBER 16, 1998

EXHIBIT C

1/6/99 9:22 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS