

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 13, 1999

99-0100

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 9:23 a.m.

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

The invocation was given by Edward Shell, the Dawn Bible Student Association.

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 6:30 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, JANUARY 13, 1999

EXHIBIT A

1/14/99 8:58 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 13, 1999

EXHIBIT B

1/14/99 8:58 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0101

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: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: Malcolm X Community Council
SUBJECT: History

SPEAKER: Joe Martin, 3105 Gladiolus Ln. **CANCELED**
SUBJECT: Official newspaper

SPEAKER: Michael Simmons, 2515 Lawrence St.
SUBJECT: Constitutional rights violated in Code Enforcement and Housing Department/Discrimination

SPEAKER: Harry Weisbrod, 7014 Preston Grove Ln.
SUBJECT: Dallas Cable Company not responding to customers

SPEAKER: Jimmy Lee, P.O. Box 4994 **NO SHOW**
REPRESENTING: Relief in the Communities Inc.
SUBJECT: Mr. Chairman, ■May I speak? Dear Mr. City Manager

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption with President Clinton/E.P.A./Merrill Lynch/DHA

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0102

Item 1: Approval of Minutes

The voting agenda meeting of December 9, 1998, were presented for approval.

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0103

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-47, was presented for consideration.

The city secretary announced that her office has received written notice from members of the city council that consent agenda item 12 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 item 13 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

At the request of staff, consent agenda item 42 was removed from the consent agenda to be considered as an individual item, due to the ordinance was acted upon on December 9, 1998 and was approved.

Councilmember Greyson requested that consent agenda item 46 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Mayes moved to approve all items on the consent agenda with the exception of agenda items 12 which had been deferred or deleted until the next voting agenda meeting, and agenda items 13, 42 and 46 would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0104

Item 2: Authorize a professional services contract with Conley Design Group, Inc. for the design of Love Field Airport Roof Replacement - \$128,200 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0105

Item 3: Authorize a professional services contract with Garcia & Associates for the engineering and design of two boat ramps/canoe launches, access roads, and parking areas on the Trinity River at Sylvan Avenue and the Trinity River at Loop 12 - \$50,678 - Financing: Texas Parks & Wildlife Department Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0106

Item 4: Authorize a contract for the reconstruction of alley improvements on the alley between Campanella Drive and Towns Street from Schroeder Road to Oberlin Drive - Allied Builders, Inc., lowest responsible bidder of four - \$181,388 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0107

Item 5: Authorize a contract for the expansion and renovation of Fire Station No. 49, located at 4901 South Hampton Road - Industrial Construction Management, lowest responsible bidder of six - \$699,594 - Financing: Aviation Capital Construction Funds (\$589,557), 1985 Bond Funds (\$110,037)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0108

Item 6: Authorize an Interlocal Agreement between the Cities of Dallas and Fort Worth, acting as RAILTRAN, and the City of Irving that will permit Irving to construct a railroad bridge to allow Grauwlyer Road to pass under the RAILTRAN Corridor in Irving - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0109

Item 7: Authorize an Interlocal Agreement with Dallas County for the design and construction of paving and drainage improvements on Hampton/Inwood Road from Canada Drive to Harry Hines Boulevard - \$208,628 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0110

Item 8: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for installing, operating, adjusting, maintaining and removing temporary traffic signal equipment at the intersections of Interstate 30 at Westmoreland Road and Sylvan Avenue - \$60,745 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0111

Item 9: Authorize a contract with A & J Industrial Coating, Inc. and execute a tender agreement and release with defaulting contractor's surety company, Credit General Insurance Company on behalf of Reliance Insurance Company, for the Plano Road Elevated Storage Tank Improvements - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0112

Item 10: Authorize acquisition of one single-family residential property owned by Michael G. Walter, containing approximately 12,590 square feet of land, located at 5123 Justin Drive in the City of Irving, for the D-FW International Airport Expansion project - \$84,000 - 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

January 13, 1999

99-0113

Item 11: Authorize acquisition of individual avigation easements over 2 residential properties containing approximately 1 acre of land, located in the City of Irving, for the D-FW International Airport Expansion project - \$57,500 (\$27,600 in easement acquisition payments and \$29,900 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

January 13, 1999

99-0114

Item 12: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Transcontinental Realty Investors, Inc., of approximately 2 acres of land, improved with an asphalt parking lot, for the Houston Street Extension Project between Pacific and McKinney Avenues - \$2,652,765 - Financing: 1998 Bond Funds (\$2,152,765) and 1995 Bond Funds (\$500,000)

The city secretary announced that Councilmember Greyson had deferred consideration of consent agenda item 12 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0115

Item 13: Authorize a 1999 Amendment to the AMR Airline Services Corporation Love Field Terminal and Air Cargo Facility Lease and Agreement, which will release approximately 280,616 square feet of land from the base lease, at Love Field Airport - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 13 be considered as an individual item. Mayor Kirk stated that consent agenda item 13 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 13 was brought up for consideration.

Councilmember Forsythe Lill announced 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.

Councilmember Lipscomb moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0116

Item 14: Authorize release of a lien on real property located at 201 S. Tyler, Dallas, Dallas County, Texas (Phoenix Project, Inc.) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0117

Item 15: Authorize conveyance of seventy-two vacant lots in Independence Park to Dallas City Homes, for the development of low or moderate-income single family housing and execution of a development agreement - Revenue: \$40

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0118

Item 16: An ordinance abandoning an alley to Sarris Family Partnership, Limited, the abutting owner, containing approximately 1,500 square feet of land, located near the intersection of Lucas Drive and Maple Avenue and authorizing the quitclaim - Revenue: \$1,913 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23740.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0119

Item 17: Authorize conveyance of an easement to Southwestern Bell Telephone Company, containing approximately 16,244 square feet of land for the construction and maintenance of underground telecommunication facilities to serve property leased by the City of Dallas to the Texas Military Facilities Commission, at the former Dallas Naval Air Station - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0120

Item 18: Authorize a nonexclusive track use license agreement between the Cities of Dallas and Fort Worth, acting as RAILTRAN, and the Fort Worth and Dallas Railroad for the use of the RAILTRAN Corridor to provide excursion passenger train service - Revenue: \$.55 per train car per mile

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0121

Item 19: An ordinance abandoning a portion of Fairmount Street to Routh Fairmount Joint Venture, the abutting owner, containing approximately 3,347 square feet of land, located near its intersection with Thomas Street and authorizing the quitclaim - Revenue: \$46,942 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23741.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0122

Item 20: An ordinance amending Ordinance No. 23461 to correct the existing legal description of the abandoned portion of Profit Drive located near its intersection with Irving Boulevard
- Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23742.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0123

Item 21: An ordinance closing and vacating a portion of Storey Lane containing approximately 7,401 square feet of land, located near its intersection with Webb Chapel Extension, for consolidation with the adjacent city-owned property - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23743.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0124

Item 22: Authorize the sale of eight single-family residential properties acquired by the cities of Dallas and Fort Worth in connection with the D-FW International Airport Noise Mitigation Program for the new runway expansion project to the highest bidders - Revenue: \$560,928 - proceeds to be retained in the D-FW International Airport Mitigation Program (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0125

Item 23: An ordinance abandoning a portion of an alley to Westdale Properties America 1, Ltd., the abutting owner, containing approximately 2,382 square feet of land, located between Murray Street and Trunk Avenue, and authorizing the quitclaim - Revenue: \$16,199 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23744.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0126

Item 24: Authorize a thirty-six month multiple award price agreement for transmission exchange and rebuild service with the lowest responsible bidders of four - Dallas American Paint & Body, ARD Industrial Power, Inc., Industrial Automatic Transmission Service - Not to exceed \$670,536 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0127

Item 25: Authorize a twenty-four month price agreement for tires for emergency response vehicles with the lowest responsible bidder of two - Moore Retread and Tire Co. of Dallas - Not to exceed \$254,767 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0128

Item 26: Authorize a twenty-four month multiple award price agreement for water meter boxes, water valve covers, and wastewater cleanouts and lids with the lowest responsible bidders of two - Bass & Hays Foundry, Inc. and Doug Meadows Co. - Not to exceed \$2,305,700 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1998

99-0129

Item 27: Authorize settlement of a lawsuit, styled Jose Soria v. Dana A. Butler and City of Dallas, Cause No. 97-06259-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1998

99-0130

Item 28: Authorize settlement of a lawsuit, styled Sharon Marie Morgan v. City of Dallas and Michael Francis Miller, Cause No. DV98-02352-L - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0131

Item 29: Authorize settlement of a lawsuit, styled Robert Stephens v. Juan Miguel Meza and City of Dallas, Cause No. cc-96-02241-e - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0132

Item 30: Authorize Supplemental Agreement No. 2 to the professional services contract with Clark, West, Keller, Butler & Ellis, L.L.P. for professional services necessary in the lawsuit, styled Deborah A. Branton v. City of Dallas, et al., Cause No. 3:97-CV-0245-P, and any other proceeding relating to the subject matter of this litigation, in an amount not to exceed \$100,000 increasing the original contract amount from \$65,000 to \$165,000 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0133

Item 31: Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Office of Joe C. Tooley, P.C. in the lawsuit, styled Roy Trujillo, Jr. v. Steven G. O'Brien, City of Dallas and Ben Click, Civil Action Number 3:98-CV-1669-H, and any other proceeding relating to the subject matter of this litigation, in an amount not to exceed \$85,000 increasing the original contract and supplemental agreement total from \$15,000 to \$100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0134

Item 32: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0135

Item 33: Authorize renewal of City of Dallas' membership in the North Central Texas Regional Certification Agency for the period of January 1, 1999 through December 31, 1999 - \$28,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0136

Item 34: Authorize application for and acceptance of the Texas Department of Health grant for the continuation and enhancement of the City of Dallas Immunization Initiative Program and execution of any and all documents required by this grant for the period January 1, 1999 through December 31, 1999 - \$254,524 - Financing: Texas Department of Health Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0137

Item 35: Authorize acceptance of a grant from the Texas Workforce Commission to increase the availability of child care subsidies to low/moderate income parents, a local match in the amount of \$56,580 and execution of the grant agreement for the period November 1, 1998 through August 31, 1999 - \$93,420 - Financing: Texas Workforce Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0138

Item 36: Authorize an Interlocal Agreement between the City of Dallas and Dallas County to provide a rental assistance program for the hard to reach homeless for the period January 1, 1999 through September 30, 2000 - \$300,000 - Financing: 1998-99 HOME Investment Partnership Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0139

Item 37: Authorize an Interlocal Agreement with Dallas County to provide assistance for persons eligible for services under the Housing Opportunities for Persons with AIDS contract for the period January 1, 1999 through September 30, 2002 - \$1,870,200 - Financing: 1998-99 Housing Opportunities for Persons with AIDS Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0140

Item 38: Authorize application for and acceptance of grant funds from the Office of the Governor, Criminal Justice Division to continue the efforts of the City's juvenile delinquency prevention initiative for the period April 1, 1999 through March 31, 2000 - \$100,000 - Financing: Office of the Governor, Criminal Justice Division Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0141

Item 39: Authorize a contract renewal with the African American Museum to provide an After-School Program and two 4-week Summer Camps for elementary school children from low to moderate income families - \$50,000 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0142

Item 40: Approval of an update to the City Plan Commission Rules of Procedure (via City Plan Commission) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0143

Item 41: Authorize a Preservation Incentives Tax Abatement for 509 Elm Street, Dallas, Texas (509 Elm Place Residences) - Financing: No cost consideration to the City (Estimated revenue foregone for 15 year abatement \$428,111)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0144

Item 42: An ordinance authorizing 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 (Z978-305/10537-SE(LS) - Financing: No cost consideration to the City

[**Note:** Ordinance was acted upon December 9, 1998 and was approved. All that is being considered is the deed restriction instruction submitted in conjunction with the change of zoning.]

Councilmember Hicks moved to approve the item.

Motion seconded by Councilmember Duncan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0145

Item 43: Authorize application for and acceptance of the COPS Methamphetamine Initiative grant, a new program to combat the spread of methamphetamines, from the U. S. Department of Justice, and execution of the grant agreement - \$749,999 - Financing: U. S. Department of Justice, Office of Community Oriented Policing Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0146

Item 44: Authorize the City of Dallas to apply for third year continuation of the Sexual Offender Apprehension Project/3 grant for a program which insures that sex offenders fully comply with the terms of the mandated state registration law as well as the conditions of their probation and parole, from the Office of the Governor, Criminal Justice Division, for the period October 1, 1999 through September 30, 2000 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0147

Item 45: Authorize the City of Dallas to apply for fourth year continuation of the Sex Offender Registration Compliance/4 grant for identifying and registering sex offenders, from the Office of the Governor, Criminal Justice Division, for the period October 1, 1999 through September 30, 2000 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0148

Item 46: Authorize the City of Dallas to apply for a new law enforcement-related grant, Public School Child Abuse Response Team, for a program which acts as a liaison with Dallas Public Schools for child abuse referrals, from the Office of the Governor, Criminal Justice Division, for the period of October 1, 1999 through September 30, 2000 - Financing: This action has no cost consideration to the City

Councilmember Greyson requested that consent agenda item 46 be considered as an individual item. Mayor Kirk stated that consent agenda item 46 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting agenda item 46 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0149

Item 47: Authorize the City of Dallas to apply for a new law enforcement-related grant, PawnWare Project, for a computer software program to enhance the existing system for the Pawn Shop Squad, from the Office of the Governor, Criminal Justice Division, for the period of October 1, 1999 through September 30, 2000 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0150

Public Hearing - City of Dallas Reinvestment Zone No. 44

- Item 48: * 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. 44, consisting of 2.812 acres located at 1230 East Ledbetter Drive, Dallas, Texas, for the purpose of granting tax abatement on new tangible personal property and a development fee rebate to Quiltcraft Industries, Inc., and its lessor, LJP Realty, Ltd. - Financing: No cost consideration to the City
- Item 49: * An ordinance designating property located at 1230 East Ledbetter Drive, Dallas, Texas, consisting of 2.812 acres, as City of Dallas Reinvestment Zone No. 44, for commercial-industrial tax abatement for the purpose of granting a tangible personal property tax abatement to Quiltcraft Industries, Inc., and its lessor, LJP Realty, Ltd., establishing the boundaries of the Reinvestment Zone and providing for an effective date -Financing: No cost consideration to the City

No one addressed the city council regarding the Reinvestment Zone No. 44.

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

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 23745.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0151

Public Hearing - City of Dallas Reinvestment Zone No.44

Item 50: * Authorize (1) a tangible personal property tax abatement agreement with Quiltcraft Industries, Inc., and its lessor, LJP Realty, for the purpose of granting a ten-year abatement of 75% of the taxes on new business personal property for the retention and expansion of its manufacturing and distribution facility to be located at 1230 East Ledbetter Drive, Dallas, Texas, within Commercial Zone ■A•; and (2) a 100% development fee rebate to Quiltcraft Industries, Inc. in an amount not to exceed \$5,000 - Revenue: First year tax revenue estimated at \$325. Ten-year tax revenue estimated at \$3,246. (Estimated revenue foregone for ten-year tangible personal property abatement \$24,341) - Financing: Public/Private Partnership Funds

No one addressed the city council regarding the Reinvestment Zone No. 44.

Councilmember Mayes moved to close the public hearing.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0152

Public Hearing - City of Dallas Reinvestment Zone No. 43

- Item 51: * 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
- Item 52: * 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

No one addressed the city council regarding Reinvestment Zone No. 43.

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23746.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0153

Public Hearing - City of Dallas Reinvestment Zone No. 43

- Item 53: * 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
- Note: These items were deferred from the December 9, 1998 City Council Agenda

No one addressed the city council regarding Reinvestment Zone No. 43.

Councilmember Loza moved to close the public hearing.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0154

Item 54: Public Hearing

A public hearing was called to receive citizen comments, and Council action 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

No one addressed the city council regarding Katy Trail.

Councilmember Forsythe Lill moved to close the public hearing.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0155

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 55-65 was presented.

Agenda items 55 and 64 were removed from the consent zoning docket, to be called as individual hearings.

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

Agenda item 55: Zoning Case Z978-325/10665-NC(ML)	[Considered individually]
Agenda item 56: Zoning Case Z978-329/10672-SE(JP)	
Agenda item 57: Zoning Case Z978-334/8912-C(RB)	
Agenda item 58: Zoning Case Z978-356/598-SE(ML)	
Agenda item 59: Zoning Case Z978-357/10710-C(JA)	
Agenda item 60: Zoning Case Z978-358/10711-C(JA)	
Agenda item 61: Zoning Case Z978-360/10712-C(JA)	
Agenda item 62: Zoning Case Z989-103/9862-C(JP)	
Agenda item 63: Zoning Case Z989-106/10727-SW(JP)	
Agenda item 64: Zoning Case Z989-110/10562-NW(SS)	[Considered individually]
Agenda item 65: Zoning Case Z989-112/10279-NC(SS)	

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

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

-- Joe Martin, 3105 Gladiolus Ln., regarding Zoning Case Z978-329/10682-SE(JP)

Councilmember Loza 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

January 13, 1999

99-0156

Item 55: Zoning Case Z978-325/10665-NC(ML)

The consent zoning docket, consisting of agenda items 55-65 was presented.

Councilmember Greyson requested that consent zoning docket item 55 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 55 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting zoning docket item 55 was brought up for consideration.

A public hearing was called on zoning case Z978-325/10665-NC(ML), an application for and an ordinance granting a CR Community Retail District on property presently zoned an MF-1(A) Multifamily District at the northwest corner of Frankford Road and Marsh Lane, 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.

Councilmember Greyson 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 Hicks and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0157

Item 56: Zoning Case Z978-329/10672-SE(JP)

Zoning Case Z978-329/10672-SE(JP), an application for an IM Industrial Manufacturing District on property presently zoned an RR Regional Retail District on the south side of Interstate 20, west of Bonnie View Road, and an ordinance granting an IR Industrial Research District.

(The city plan commission recommended denial of an IM Industrial Manufacturing District, but approval of an IR Industrial Research District.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23747.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0158

Item 57: Zoning Case Z978-334/8912-C(RB)

Zoning Case Z978-334/8912-C(RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses, and an application for and an ordinance granting a Specific Use Permit for a Community service center on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the north and south corners of Reagan Street and Brown Street. (The city plan commission recommended approval of a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses, subject to conditions, and approval of a Specific Use Permit for a Community service center for a ten-year time period with eligibility for automatic renewal for additional ten-year time periods, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23748 and ORDINANCE NO. 23749.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0159

Item 58: Zoning Case Z978-356/598-SE(ML)

Zoning Case Z978-356/598-SE(ML), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of Cheyenne Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23750.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0160

Item 59: Zoning Case Z978-357/10710-C(JA)

Zoning Case Z978-357/10710-C(JA), an application for and an ordinance granting an Historic Overlay District for the Dallas Power and Light East Substation on property presently zoned as Planned Development District No. 269, the Deep Ellum/Near East Side District, at the northwest corner of Willow Street and Commerce Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23751.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0161

Item 60: Zoning Case Z978-358/10711-C(JA)

Zoning Case Z978-358/10711-C(JA), an application for and an ordinance granting an Historic Overlay District for the Eastside Warehouse District on property presently zoned as Planned Development District No. 269, the Deep Ellum/Near East Side District, on Main Street and Commerce Street, west of Trunk Avenue.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23752.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0162

Item 61: Zoning Case Z978-360/10712-C(JA)

Zoning Case Z978-360/10712-C(JA), an a Landmark Commission authorized hearing to consider the granting of an Historic Overlay District for the City Hotel Historic District on property presently zoned as Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south side of Elm Street, west of Good-Latimer Expressway, and an ordinance implementing the proposal.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23753.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0163

Item 62: Zoning Case Z989-103/9862-C(JP)

Zoning Case Z989-103/9862-C(JP), an application for and an ordinance granting an amendment to Specific Use Permit No. 1269 for a Utility Use other than listed for a Water Chilling Facility to change the site plan to increase the size of the structure on property within Subarea 3 of Planned Development District No. 298, the Bryan Area Special Purpose District, on the southeast side of Bryan Street between Haskell Avenue and Peak Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23754.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0164

Item 63: Zoning Case Z989-106/10727-SW(JP)

Zoning Case Z989-106/10727-SW(JP), an application for and an ordinance granting an MU-1 Mixed Use District on property presently zoned an NS(A) Neighborhood Service District on the east side of Zang Boulevard, north Illinois Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23756.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0165

Item 64: Zoning Case Z989-110/10562-NW(SS)

The consent zoning docket, consisting of agenda items 55-65 was presented.

Councilmember Loza requested that consent zoning docket item 64 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 64 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Loza's request.

Later in the meeting zoning docket item 64 was brought up for consideration.

A public hearing was called on zoning case Z989-110/10562-NW(SS), an application for and an ordinance granting a Planned Development District for IR Industrial Research District Uses and a Multifamily Use (to be allowed by Specific Use Permit only) on property presently zoned an IR Industrial Research District, and an application for and an ordinance granting a Specific Use Permit for a Multifamily Use at the southwest corner of Denton Drive and Community Drive.

(The city plan commission recommended approval of a Planned Development District for IR Industrial Research District Uses and a Multifamily Use, subject to a development plan and conditions, and approval of a Specific Use Permit for a Multifamily Use, 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 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 Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0166

Item 65: Zoning Case Z989-112/10279-NC(SS)

Zoning Case Z989-112/10279-NC(SS), an application for and an ordinance granting an amendment to condition (f) in Planned Development District No. 472 which regulates off-street parking to allow a parking space in an enclosed structure to be 10 feet from an adjacent street or alley instead of the 20 foot distance required under the current Development Code on both sides of Marquette Street, east of Boedeker Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23757.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0167

Item 66: Public Hearing - Zoning Case Z978-317/10653-SW(SS)

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

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Elizabeth Louise Lloyd, 640 S. Moore St.
- Mark Goode, representing Goode Taylor Auto Dealership, 553 S. R. L. Thornton Frwy.

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

Deputy Mayor Pro Tem Salazar moved to close the public hearing and accept the recommendation of the city plan commission, and deny the application without prejudice.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0168

Item 67: Public Hearing - Zoning Case Z956-331/10184-SW(MF/RB)

A public hearing was called on zoning case Z956-331/10184-SW(MF/RB), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned an R-7.5(A) Single Family District, a D(A) Duplex District, a TH-2(A) Townhouse District, a TH-3(A) Townhouse District, an MF-1(A) Multifamily District, an MF-2(A) Multifamily District, a P(A) Parking District, a CR Community Retail District, an RR Regional Retail District, and an LO-3-D Limited Office-Dry District on property generally bounded by Camp Wisdom Road, Polk Street, Interstate Highway 20, and Hampton Road.

(The city plan commission recommended approval a change of zoning from all MF-1(A) Multifamily Districts, D(A) Duplex Districts, TH-2(A) Townhouse Districts, within the study area that have not been developed or are developed single family to an R-7.5(A) Single Family District a change of zoning from a CR Community Retail District on either side of Hampton Road at Kirnwood Drive to an R-7.5(A) Single Family Districts; except for the following: a change of zoning from a CR Community Retail District on the west side of Hampton Road, north of the First Christian Methodist Church to an NO(A) Neighborhood Office District; a change of zoning on the southeast corner of Kirnwood Drive and Hampton Road to an NS(A) Neighborhood Office District; a change of zoning on the area south of Wheatland Road and the retail areas around the intersections of Wheatland Road and Hampton Road and Wheatland Road and Polk Street to a Planned Development District for Retail, Commercial, and Office uses; and no change to the remainder of the area.)

Appearing in opposition to the city plan commission recommendation:

- Herman Burkett, 3361 Camelot Dr.
- Dan Caldwell, 6718 Larmanda St.
- Kim Forrester, 8210 S. Hampton Rd.

Appearing in favor of the city plan commission recommendation:

- Rick Montgomery, 1920 Argyle Ave.
- George Henry, 4930 Paloduro Ln.
- Joe Martin, 3105 Gladiolus Ln.
- Carol Bonner, 7747 Los Gatos Dr.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

1/14/99 8:58 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

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]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0169

Item 68: Public Hearing - Zoning Case Z978-260/10597-NW(ML)

A public hearing was called on zoning case Z978-260/10597-SW(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. This application was considered by the City Council at a public hearing on December 9, 1998, and was taken under advisement until January 13, 1999, 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 Duncan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0170

Item 69: 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. This application was considered by the City Council at a public hearing on December 9, 1998, and was taken under advisement until January 13, 1999, 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

January 13, 1999

99-0171

Item 70: Public Hearing - FLOODPLAIN APPLICATIONS

A public hearing was called to receive citizen comments on an application for a fill permit and removal of the floodplain (FP) prefix from 2.510 acres of land currently in the 100-year floodplain of Joe's Creek which is located at 2361 Northwest Highway and is zoned FP (MU-3) - Fill Permit 98-05 - Financing: No cost consideration to the City.

No one addressed the city council regarding the application.

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

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0172

Item 71: 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 January 13, 1999

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 Miller moved to appoint Paula L. Graves to the Board of Adjustment Alternate Board.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Councilmember Lipscomb moved to appoint Betty J. Culbreath, Pedro Aguirre, Al Gonzales to the Dallas-Fort Worth International Airport Board and to appoint Donald F. Weeks to the Landmark Commission Alternate Board.

Motion seconded by Councilmember Mayes and unanimously adopted.

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

Motion seconded by Councilmember Loza and unanimously adopted.

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

99-0186 BOX BOARD OF ADJUSTMENT ALTERNATE
99-0187 CPC CITY PLAN AND ZONING COMMISSION
99-0188 DFW DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD
99-0189 EHC ENVIRONMENTAL HEALTH COMMISSION
99-0190 LMX LANDMARK COMMISSION ALTERNATE
99-0191 MLK MARTIN LUTHER KING JR. COMMUNITY CENTER BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0173

Item 72: 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0174

Item 73: 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

There were no appointment of members to the Ethics Task Force.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0175

Item 74: Approval of a resolution supporting direct access between the Trinity Parkway and Interstate 35 south and Interstate 30 west, and urging the North Texas Tollway Authority and the Texas Department of Transportation to take all reasonable steps to pursue and achieve direct access to Interstate 35 south and Interstate 30 west in the conduct and preparation of studies, preliminary engineering plans and final engineering plans for the Trinity Parkway (Deputy Mayor Pro Tem Salazar and Councilmembers Lill, Duncan, Blumer, Miller, and Loza)

The following individual addressed the city council regarding the Trinity Parkway:

-- Martin Malloy, representing the North Texas Tollway Authority

Councilmember Miller moved to approve the resolution with Councilmember Finkleman's amendments, changing the phrase "direct access" to "direct or indirect access" and adding "EIS Studies" in section 2 of the resolution.

Motion seconded by Councilmember Walne.

Councilmember Mallory Caraway asked Councilmember Miller if she would accept a friendly amendment to her motion to ratify the original resolution approved by the city council on September 10, 1997 in which Section 4 states, "That the design of vehicular access from I-30 and I-35 E to and from the proposed Trinity Parkway be considered during the EIS phase of the project and that options for possible access be presented to the City Council during the EIS process."

Councilmember Miller accepted the amendment as part of her motion.

After discussion Mayor Kirk called the vote on Councilmember Miller's motion, as modified.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0176

Item 75: Authorize deposit of a Special Commissioners Award for acquisition from Intervest-West End, Ltd., of a tract of land containing approximately 2.4 acres, improved with a grain elevator and accessory buildings, in City Blocks 394 and D/395, for the Dallas Sports Arena Project, located northeast of the intersection of Woodall Rodgers and Stemmons Freeways - \$2,593,150 - Financing: Funds provided by Hillwood Development Corporation

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

Councilmember Miller requested an executive session. Mayor Kirk announced that the city council would convene in executive session pursuant to the provision of the open records act that permits discussion regarding acquisition of land to be considered in executive session.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Mayes.

Councilmember Loza called the question to end the debate.

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

Voting Yes:	[13]	Kirk, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[1]	Blumer
Abstain:	[1]	Poss

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0177

Item 76: Authorize a professional services contract with Strausburger & Price L.L.P., for legal services in connection with (1) the Arena Project condemnation lawsuits, and (2) any additional condemnation cases, if necessary, for acquisition of right-of-way for Houston Street, and for adjacent streets in the Arena Project surrounding area, in an amount not to exceed \$250,000, - Financing: Funds provided by Hillwood Development Corporation

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

Councilmember Miller requested an executive session. Mayor Kirk announced that the city council would convene in executive session pursuant to the provision of the open records act that permits discussion regarding condemnation and acquisition of land with respect to agenda items 75 and 76 to be considered in executive session.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Mayes.

Councilmember Loza called the question to end the debate.

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

Voting Yes:	[13]	Kirk, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[1]	Blumer
Abstain:	[1]	Poss

Mayor Kirk declared the motion adopted.

Later in the meeting, Councilmember Lipscomb moved to suspend the rules of the council in order to allow Councilmember Miller to reconsider her vote regarding the professional services contract with Strausburger & Price L.L.P

Motion seconded by Councilmember Blumer.

Mayor Kirk called the vote on the motion to suspend the rules and announced that as two-thirds of all of the members of the council had voted to suspend the rules, the vote on agenda item 76 could be reconsidered.

Mayor Kirk called the vote on the original motion:

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0178

Item 77: Consent or approval of termination of Assistant City Secretary Barry Davis (Closed Session, if necessary, Personnel, 551.074 of the Texas Government Code, T.O.M.A.)

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0179

Item 78: Authorize the quitclaim of a vacant lot located at 4719 Live Oak, acquired by the taxing authorities from the Sheriff's Sale, to Robert Frenzel and Gerry Frenzel, the highest bidders - Revenue: \$13,100

Councilmember Loza moved to defer the item until the January 27, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0180

Item 79: 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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0181

Item 80: 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

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0182

Item 81: 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, Inc. to AT&T Corp.:

- Thomas Dillingham, 210 Pleasant Meadows Ln.
- William Richardson, 3911 N. Hall St.
- Mark Muehlberg, 7570 Skillman St.
- Ben Britt, 815 . Jefferson Blvd.
- Doug Davis, 350 N. St. Paul St.
- Bryan Bodiford, 5215 Fleetwood Oaks Ave.
- Beth Johnson, 3363 Darbyshire Dr.
- Lee Thurburn, 1812 N. Forest Park Blvd., Ft. Worth
- Pat Bustos-Robinson, 9235 Briarhurst Dr.
- Russell Morgan, 5501 LBJ Frwy.
- Teri Scott, 4700 S. Syracuse Pkwy., Denver, CO
- Paula Blackmon, 6408 Patrick Dr.
- Sharpe Teplitz, 5013 42nd St., Washington, D.C.
- Tom Savate, 3003 Helmet St., Irving

Councilmember Duncan moved approval of the transfer and amend Section 5 by adding Subsection E to state:

■If company provides a cable modem platform, company shall provide on the same basis and conditions nondiscriminatory access to cable modem internet platform from affiliated and non affiliated internet access provider.

Motion seconded by Councilmember Lipscomb.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

Councilmember Mallory Caraway moved to substitute for Councilmember Duncan's motion a motion to pass the ordinance without Subsection E as recommended by Councilmember Duncan.

Motion seconded by Mayor Pro Tem Poss.

After discussion, Mayor Kirk called the vote on Councilmember Mallory Caraway's substitute motion:

Voting Yes: [9] Kirk, Poss, Salazar, Loza, Hicks, Mallory Caraway, Mayes, Walne, Finkelman

Voting No: [6] Miller, Duncan, Lipscomb, Greyson, Blumer, Forsythe Lill

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23755.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0183

Item 82: Authorize the second amendment to the long term use agreement with the Dallas Symphony Association, Inc. - Financing: No cost consideration to the City

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0184

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 Forsythe Lill 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)
- U.S. Department of Transportation Love Field Service Interpretation Proceeding, Docket No. OST-98-4363

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0185

Addendum addition 1: An ordinance abandoning a portion of Anson Road to American Escrow Company, the abutting owner, containing approximately 72,736 square feet of land, located near its intersection with Empire Central Drive, providing for the dedication of approximately 65,822 square feet of land needed for street right-of-way, and authorizing the quitclaim-Revenue: \$20,569 plus the \$20 ordinance publication fee

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Councilmember Duncan and unanimously adopted.

Assigned ORDINANCE NO. 23758.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0186

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, JANUARY 13, 1999

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 13, 1999

99-0100

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]

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 13, 1999

99-0168

Item 67: Public Hearing - Zoning Case Z956-331/10184-SW(MF/RB)

A public hearing was called on zoning case Z956-331/10184-SW(MF/RB), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned an R-7.5(A) Single Family District, a D(A) Duplex District, a TH-2(A) Townhouse District, a TH-3(A) Townhouse District, an MF-1(A) Multifamily District, an MF-2(A) Multifamily District, a P(A) Parking District, a CR Community Retail District, an RR Regional Retail District, and an LO-3-D Limited Office-Dry District on property generally bounded by Camp Wisdom Road, Polk Street, Interstate Highway 20, and Hampton Road.

(The city plan commission recommended approval a change of zoning from all MF-1(A) Multifamily Districts, D(A) Duplex Districts, TH-2(A) Townhouse Districts, within the study area that have not been developed or are developed single family to an R-7.5(A) Single Family District a change of zoning from a CR Community Retail District on either side of Hampton Road at Kirnwood Drive to an R-7.5(A) Single Family Districts; except for the following: a change of zoning from a CR Community Retail District on the west side of Hampton Road, north of the First Christian Methodist Church to an NO(A) Neighborhood Office District; a change of zoning on the southeast corner of Kirnwood Drive and Hampton Road to an NS(A) Neighborhood Office District; a change of zoning on the area south of Wheatland Road and the retail areas around the intersections of Wheatland Road and Hampton Road and Wheatland Road and Polk Street to a Planned Development District for Retail, Commercial, and Office uses; and no change to the remainder of the area.)

Appearing in opposition to the city plan commission recommendation:

- Herman Burkett, 3361 Camelot Dr.
- Dan Caldwell, 6718 Larmanda St.
- Kim Forrester, 8210 S. Hampton Rd.

Appearing in favor of the city plan commission recommendation:

- Rick Montgomery, 1920 Argyle Ave.
- George Henry, 4930 Paloduro Ln.
- Joe Martin, 3105 Gladiolus Ln.
- Carol Bonner, 7747 Los Gatos Dr.

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