

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 10, 1999

99-0540

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 9:33 a.m.

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

Mayor Kirk asked the councilmembers and audience to pray in silence.

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 2:09 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, FEBRUARY 10, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 10, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0541

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: Roy Williams, 2510 S. Marsalis Ave.  
REPRESENTING: Citizens For Better Dallas  
SUBJECT: A vision for Dallas

SPEAKER: Michael Kolch, 12662 Jupiter Rd. **NO SHOW**  
SUBJECT: 2012 Olympics and the way the Mayor runs Dallas

SPEAKER: Margaret Donnelly, 7520 W. Northwest Hwy.  
SUBJECT: Education/Streets/Parks

SPEAKER: Rick Edwards, 9941 Whitehurst Dr.  
SUBJECT: Police brutality

SPEAKER: Clarence Martin, 3627 Softcloud Dr.  
SUBJECT: Willful deliberate committing of an unlawful act with the intent to inflict harm

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Williams Hopkins, 2011 Leath St. **NO SHOW**  
SUBJECT: Corruption with President Clinton/D.H.A/2000 Olympics/Park and Recreation

SPEAKER: Jimmy Lee, P.O. Box 4994 **NO SHOW**  
REPRESENTING: Relief in the Communities  
SUBJECT: Mr. Mayor may I speak/Dear Mr. City Manager/Dear Mr. HUD Secretary

SPEAKER: Joe Martin, 3105 Gladiolus Ln.  
SUBJECT: Official Newspaper

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.  
SUBJECT: History

**NO SHOW**

SPEAKER: Gaylon Harrison, 2730 Fordham Rd.  
REPRESENTING: Citizens For A Better Dallas  
SUBJECT: Trinity River bond issues

**NO SHOW**

SPEAKER: Elsie Risby, 2900 Dilido Rd.  
SUBJECT: End of the day

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0542

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of January 13, 1999 and the voting agenda meeting of January 27, 1999, were presented for approval.

Councilmember Lipscomb moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0543

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-42, 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 31 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 Mallory Caraway requested that consent agenda item 19 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Mallory Caraway's request.

Councilmember Forsythe Lill requested that consent agenda items 30, 38 and 39 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 30, 38 and 39 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Greyson requested that consent agenda item 42 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 42 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Mayor Pro Tem Poss moved to approve all items on the consent agenda with the exception of agenda item 19 which had been deferred or deleted until the next voting agenda meeting, and agenda items 19, 30, 38, 39 and 42 would be considered later in the meeting.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0544

Item 2: Authorize a professional services contract with BCI Architects to provide design services including schematic design, design development, construction documents, bidding phase and site observation for improvements at Arcadia Park Recreation Center - \$19,950 - Financing: 1997-98 Community Development Grant Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0545

Item 3: Authorize a professional services contract with Bridgefarmer & Associates, Inc. for the design of street paving, storm drainage, water and wastewater main improvements on Highland Road from Ferguson Road to Jim Miller Road - \$254,070 - Financing: 1998 Bond Funds (\$196,160), Water Utilities Capital Improvement Funds (\$57,910)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0546

Item 4: Authorize a contract for the renovation of four branch libraries, Lakewood, Highland Hills, Hampton-Illinois and North Oak Cliff - Gilbert May, Inc., only bidder - \$290,026 - Financing: 1995-96 Community Development Grant Funds (\$130,997), 1996-97 Community Development Grant Funds (\$149,874), Gifts and Donation Funds (\$8,000), Current Funds (\$1,155)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0547

Item 5: Authorize a contract for lighting improvements to the ballfield at Kleberg/Rylie Park - Nema  
3 Electric, Inc., lowest responsible bidder of three - \$68,000 - Financing: 1997-98  
Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0548

Item 6: Authorize a contract for the demolition and removal of an apartment complex located at 3633 Legendary Lane - J. R. Ramon and Sons, Inc., lowest responsible bidder of seven - \$92,480 - Financing: Demolition Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0549

Item 7: Authorize a contract for the construction of drainage improvements on Lisbon Branch at Ledbetter Drive - Linder-Stahl Construction Co., Inc., lowest responsible bidder of four - \$345,706 - Financing: Neighborhood Renaissance Partnership Section 108 Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0550

Item 8: Authorize an increase in the contract with Randall & Blake, Inc. for renovation of the DeGolyer House, Motor Court and Indian Court at the Dallas Arboretum to include demolition, drainage, concrete, brick pavers, granite, paint, irrigation, electrical, plumbing, french drain, and greenhouse area and east garden wall renovation - \$238,819, from \$1,641,819 to \$1,880,638 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0551

Item 9: Authorize Supplemental Agreement No. 2 to the contract with Spencer Design Group, Inc. for additional design services for Phase II renovation of the Kalita Humphreys Theater - \$21,185, from \$18,313 to \$39,498 - Financing: 1985 Bond Funds (\$7,110), Capital Construction Funds (\$14,075)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0552

Item 10: Authorize an increase in the contract with Jeske Construction Co. to provide additional erosion control improvements and additional sanitary sewer lateral work on Beckley Club Branch from Saner Avenue to Ohio Avenue - \$56,811, from \$342,990 to \$399,801  
- Financing: Neighborhood Renaissance Partnership Section 108 Notes

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0553

Item 11: Authorize an increase in the contract with Lockwood, Andrews & Newnam, Inc. to provide engineering services for design modifications to the solids screening and thickening facility at the Southside Wastewater Treatment Plant - \$56,112, from \$1,474,097 to \$1,530,209 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0554

Item 12: Authorize an increase in the contract with Archer-Western Contractors, Ltd. for Central Wastewater Treatment Plant grit removal and air line modifications to provide emergency repair of an 84-inch plant effluent pipe - \$250,000, from \$12,239,254 to \$12,489,254 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0555

Item 13: Authorize rejection of the only bid received for the swimming pool renovation for Glendale Park and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0556

Item 14: Authorize rejection of the only bid received for the swimming pool renovation for Tommie M. Allen Park and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0557

Item 15: Arizona Avenue from dead-end south of Montana Avenue to Woodin Boulevard

- \* Authorize street paving, storm drainage, and water main improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0558

Item 16: Arizona Avenue from dead-end south of Montana Avenue to Woodin Boulevard

- \* Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0559

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sigmor Corporation, of approximately 1,700 square feet of land for street improvements at the intersection of Bruton and St. Augustine Roads - \$13,770 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0560

Item 18: Authorize deposit of a Special Commissioners Award for acquisition from Dallas County Memorial Post No. 2414, Veterans of Foreign Wars, of a tract of land containing approximately 3 acres, for the Five Mile Creek greenbelt project, near Coombs Creek Drive and Illinois Avenue - \$33,340 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0561

Item 19: Authorize two thirty-year leases, with two five-year option periods, of approximately 39,975 square feet of land improved with multiple aircraft storage T-hangars, ramp and taxiway facilities, with Jeffrey L. Conkright, dba, JC Aviation Investments, at Redbird Airport - Revenue: \$5,197 annually

Councilmember Mallory Caraway requested that consent agenda item 19 be considered as an individual item. Mayor Kirk stated that consent agenda item 19 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Mallory Caraway's request.

Later in the meeting agenda item 19 was brought up for consideration.

Councilmember Mallory Caraway moved to defer the item and send it back to the Transportation and Telecommunications Committee.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0562

Item 20: Authorize the quitclaim of 26 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders - Revenue: \$182,102

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0563

Item 21: An ordinance reabandoning a portion of an alley to 3225 Turtle Creek, L.P., the abutting owner, containing approximately 1,775 square feet of land, located near the intersection of Sale and Hall Streets, providing for the dedication of approximately 5,266 square feet of land needed for an alley right-of-way, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23778.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0564

Item 22: Authorize a thirty-six month price agreement for polyethylene bags with the lowest responsible bidder of four - Arrow Industries, Inc. - Not to exceed \$472,059 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0565

Item 23: Authorize the purchase of a mail inserter and a five year maintenance agreement with the lowest responsible bidder of two - Bell and Howell Mail Processing Systems Company - Not to exceed \$292,574 - Financing: 1997 Equipment Acquisition Contractual Obligation Notes (\$209,649), Current Funds (\$82,925)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0566

Item 24: Authorize (1) purchase and installation of Phase I and Phase II of the automated Flooded Roadway Warning System with the lowest responsible bidder of two - HSQ Technology and; (2) an \$181,995 appropriation increase in the Street and Sanitation Department - Not to exceed \$2,298,850 - Financing: 1992 Equipment Acquisition Contractual Obligation Notes (\$113,025), 1995 Equipment Acquisition Contractual Obligation Notes (\$419,197), 1996 Equipment Acquisition Contractual Obligation Notes(\$35,033), 1997 Equipment Acquisition Contractual Obligation Notes (\$699,600), 1998 Equipment Acquisition Contractual Obligation Notes (\$780,000), Contingency Reserve Funds (\$181,995), Current Funds (\$70,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0567

Item 25: Authorize ratification of an emergency purchase for repair of sludge pumps at the East Side Water Treatment Plant and pump motor at the Southcliff Pump Station - Shermco Industries, Inc. - Not to exceed \$69,796 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0568

Item 26: Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair (SHARE) Demonstration Program for homeowner Billy Lee Jones, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$40,000 - Financing: 1995-96 Community Development Grant Funds (\$5,000), 1996-97 Community Development Grant Funds (\$22,500) and 1998-99 Community Development Grant Funds (\$12,500)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0569

Item 27: Authorize a replacement housing payment and a disbursement of funds from the Substandard Housing Assistance Repair (SHARE) Demonstration Program for homeowner Arnee A. McNeal, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$40,000 - Financing: 1996-97 Community Development Grant Funds (\$22,500) and 1998-99 Community Development Grant Funds (\$17,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0570

Item 28: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0571

Item 29: An ordinance approving Texas Utilities Electric Company's proposed new optional rate schedules - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23779.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0572

Item 30: Authorize the assignment of the Tangible Personal Property Tax Abatement Agreement, approved by City Council Resolutions Number 96-0459 and 96-1848, between the City of Dallas, TeleService Resources, Inc. and Principal Mutual Life Insurance Company to American Airlines, Inc., which has agreed to assume all of the terms and conditions outlined in the Agreement for TeleService Resources, Inc. - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 30 be considered as an individual item. Mayor Kirk stated that consent agenda item 30 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 30 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 Mayor Pro Tem Poss and unanimously adopted. (Forsythe Lill abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0573

Item 31: Authorize an Interlocal Agreement with El Centro College to provide job training and student stipends for program participants in Dallas Area Interfaith's "Workpaths 2000" job training program for the period March 1, 1999 through February 28, 2001 - \$100,000  
- Financing: Current Funds

The city secretary announced that Councilmember Blumer had deferred consideration of consent agenda item 31 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

February 10, 1999

99-0574

Item 32: Adoption of the City's Federal Legislative Program (recommended by the Legislative Affairs Committee) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0575

Item 33: Authorize a grant agreement with the Texas Department of Economic Development under the Defense Economic Adjustment Assistance Grant Program for water and wastewater upgrades at Naval Air Station Dallas which includes a local community match, cash and/or in kind, by local government or business, in the amount of \$1,600,000 and execution of the grant agreement - \$2,400,000 - Financing: Texas Department of Economic Development, Defense Economic Adjustment Assistance Grant Program Funds (\$800,000) and Private Funds (\$1,600,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0576

Item 34: Authorize a Preservation Incentives Tax Abatement for Futura Lofts located at 3210 Main Street, Dallas, Texas - Financing: No cost consideration to the City (Estimated revenue foregone for 15 year abatement \$316,624)

Approved as part of the consent agenda.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0577

Item 35: Authorize a Preservation Incentives Tax Abatement for Futura Lofts located at 3221 Commerce Street, Dallas, Texas - Financing: No cost consideration to the City (Estimated revenue foregone for 15 year abatement \$530,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0578

Item 36: Authorize hardship relief for Ross Green Partners L.P. for property at 1704 Greenville Avenue at Ross Avenue, northeast corner from the Lower Greenville area moratorium (Resolution No. 983668, adopted by the City Council on December 16, 1998) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0579

Item 37: An ordinance authorizing a Planned Development District for the C.F. Hawn Freeway Special Purpose District No. 1, retaining the Dry Overlay Districts, on property presently zoned a CS Commercial Service District, a CS-D Commercial Service -Dry District, a CS-D-1 Commercial Service-Dry District, a TH-3(A) Townhouse District, an IM Industrial Manufacturing District, an IM-D-1 Industrial Manufacturing District, an RR Regional Retail District, a CR Community Retail District and Planned Development District No. 376 for IM Industrial Manufacturing District Uses on both sides of C.F. Hawn Freeway between Lake June Road and Buckner Boulevard (Z978-197/10534-SE(CG) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23779.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0580

Item 38: An ordinance authorizing 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 (Z978-260/10597-NW(ML)) - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 38 be considered as an individual item. Mayor Kirk stated that consent agenda item 38 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 38 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the February 24, 1999 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0581

Item 39: An ordinance authorizing a Planned Development District for CS Commercial Service District Uses and Multifamily Uses on property presently zoned a CS Commercial Service District at the southwest corner of University Boulevard and Webster Street (Z978-261/10603-NW(LS)) - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 39 be considered as an individual item. Mayor Kirk stated that consent agenda item 39 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 39 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the February 24, 1999 voting agenda meeting of the city council.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0582

Item 40: Authorize a contract with Brooks Court Water Supply, Inc. to provide interruptible untreated water from Lake Lewisville for five years with two extensions of five years each for irrigation of Brooks Court Homeowners Association - Revenue: \$1,401 in 1999-2000, \$2,402 annually thereafter

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0583

Item 41: Authorize a professional services contract for \$500,000 with KPMG LLP for a Year 2000 Control Risk Analysis and increase appropriations in the Information Services Fund by \$500,000, from \$14,090,436 to \$14,590,436 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0584

Item 42: A resolution recognizing the Dallas Public Library as a Citywide Asset (recommended by the Arts, Education and Libraries Committee) - Financing: No cost consideration to the City

Councilmember Greyson requested that consent agenda item 42 be considered as an individual item. Mayor Kirk stated that consent agenda item 42 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 42 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the February 24, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Greyson and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0585

Public Hearing - City of Dallas Reinvestment Zone No. 45

- Item 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. 45, Commercial Zone ■C•, consisting of 5.0847 acres located at 1841 W. Northwest Highway, Dallas, Texas, for the purpose of granting tax abatement on added value to the real property to E. L. Boss, Jr. dba Botanical Technologies, Inc. - Financing: No cost consideration to the City
- Item 44:           \*   An ordinance designating property located at 1841 W. Northwest Highway, Dallas, Texas, consisting of 5.0847 acres, as City of Dallas Reinvestment Zone No. 45, for commercial-industrial tax abatement for the purpose of granting real property tax abatement to E. L. Boss, Jr. dba Botanical Technologies, Inc., 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. 45.

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23780.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0586

Public Hearing - City of Dallas Reinvestment Zone No. 45

- Item 45:           \*    Authorize a real property tax abatement agreement with E. L. Boss, Jr. dba Botanical Technologies, Inc., for the purpose of granting a ten-year abatement of 50% of the taxes on added value to the real property for the relocation and expansion of its landscaping construction operations to be located within City of Dallas Reinvestment Zone No. 45, Commercial Zone ■C●, located at 1841 W. Northwest Highway, Dallas, Texas -Revenue: First year tax revenue estimated at \$4,056. Ten-year tax revenue estimated at \$40,568. (Estimated revenue foregone for 10-year real property abatement \$40,568) - Financing: No cost consideration to the City

No one addressed the city council regarding Reinvestment Zone No. 45.

Councilmember Mallory Caraway moved to close the public hearing and authorize the abatement agreement with E.L. Boss Jr. dba Botanical Technologies, Inc.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0587

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 46-50 was presented.

Agenda item 50 was removed from the consent zoning docket, to be called as an individual hearing.

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

- Agenda item 46: Zoning Case Z989-121/797-SW(PN)
- Agenda item 47: Zoning Case Z989-125/9639-NC(ML)
- Agenda item 48: Zoning Case Z989-127/10745-NW(RB)
- Agenda item 49: Zoning Case Z989-129/10074-SW(RB)
- ~~Agenda item 50: Zoning Case Z989-133/2284-SW(RB)~~ [Considered individually]

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0588

Item 46: Zoning Case Z989-121/797-SW(PN)

Zoning Case Z989-121/797-SW(PN), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 426 for a Community service center to: (1) delete the parking ratio of one space per one hundred square feet of floor area, (2) allow the R-10(A) Districts front yard setbacks along Hampton Road, and (3) allow a gymnasium to be constructed on property presently zoned an R-10(A) Single Family District at the southwest corner of South Hampton Road and Matland Drive.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23781.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0589

Item 47: Zoning Case Z989-125/9639-NC(ML)

Zoning Case Z989-125/9639-NC(ML), an application for and an ordinance granting an RR Regional Retail District on property presently zoned an MU-1 Mixed Use District and a GO(A) General Office District at the northeast corner of Alpha Road and Dallas North Tollway.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23782.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0590

Item 48: Zoning Case Z989-127/10745-NW(RB)

Zoning Case Z989-127/10745-NW(RB), an application for and an ordinance granting an IM Industrial Manufacturing District and application for and an ordinance granting a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete batching plant on property presently zoned an IR Industrial Research District at the southeast corner of Walnut Hill Lane and Spangler Road.

(The city plan commission recommended approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for an Industrial (outside) potentially incompatible use for a concrete batching plant for a two-year time period, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23783 and ORDINANCE NO. 23784.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0591

Item 49: Zoning Case Z989-129/10074-SW(RB)

Zoning Case Z989-129/10074-SW(RB), 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 west side of Arizona Avenue, north of Corning Avenue.

(The city plan commission recommended approval of a Specific Use Permit for a Child-care facility for a two-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site/landscape plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23785.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0592

Item 50: Zoning Case Z989-133/2284-SW(RB)

The consent zoning docket, consisting of agenda items 46-50 was presented.

Deputy Mayor Pro Tem Salazar requested that consent zoning docket item 50 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 50 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Deputy Mayor Pro Tem Salazar's request.

Later in the meeting zoning docket item 50 was brought up for consideration.

A public hearing was called on zoning case Z989-133/2284-SW(RB), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 506 for a YWCA, changing the name of the use to a Community service center, on property presently zoned an R-7.5(A) Single Family District at the southwest corner of Hampton Road and Falls Drive.

(The city plan commission recommended approval.)

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

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

- Delete the sign condition contained in Section 2 of the proposed ordinance (this means the sign provisions for the R-7.5(A) underlying zoning district will apply to this SUP).•

and pass the ordinance with that change.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23786.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0593

Item 51: Public Hearing - Zoning Case Z989-105/9841-NC(RB)

A public hearing was called on zoning case Z989-105/9841-NC(RB), an application for and an ordinance granting an amendment to the development plan, landscape plan, and conditions for Planned Development District No. 474 for certain R-16(A) Single Family District Uses and a Private Street at the northeast corner of Preston Road and Hughes Lane.

(The city plan commission recommended approval of certain amendments to the development plan, landscape plan and conditions for Planned Development District No. 474 to permit: 1) a new alignment to the perimeter wall along Preston Road; 2) perimeter walls, screening walls, and entry way columns in excess of four feet in height in the required front yards; 3) revisions to the landscaping at the main entrance to the property and within the cul-de-sac; 4) the removal of the off-street parking spaces adjoining common area B; 5) waiving the sidewalk requirement; and 6) require the proposed perimeter wall to be completed within six months of issuance of the first building permit.)

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23787.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0594

Item 52: Public Hearing - Zoning Case Z978-302/9670-SW(RB)

A public hearing was called on zoning case Z989-302/9670-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.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Mike Coker, 6360 LBJ Frwy.
- Sarah Bryant, 3130 Springwood Ln.
- Ron Law, 22001 Galloway Tower, representing the applicant

Appearing in favor of the city plan commission recommendation:

- Neoma Shafer, 2538 W. Kiest Blvd.
- Joe Martin, 3105 Gladiolus Ln.
- Nancy Moffett, 3114 Mapleleaf Ln.
- David Marquis, 3110 W. Kiest Blvd.

Councilmember Mallory Caraway moved to close the public hearing, accept the recommendation of the city plan commission to deny the application with prejudice.

Motion seconded by Mayor Pro Tem Poss.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmember Lipscomb voting ■No•.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0595

Item 53: Public Hearing - Zoning Case Z978-325/10665-NC(ML)

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. This application was considered by the City Council at a public hearing on January 13, 1999, and was taken under advisement until January 27, 1999, with the public hearing open.)

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23788.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0596

Item 54: 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 February 10, 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 Hicks 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 Lipscomb.

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

Voting Yes: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory  
Caraway, Lipscomb, Walne, Finkelman, Greyson, Blumer,  
Forsythe Lill  
Voting No: [0]  
Absent when vote taken: [1] Mayes

Mayor Kirk declared the motion adopted.

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

99-0603 CPC CITY PLAN COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0597

Item 55: 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

February 10, 1999

99-0598

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A)

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

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0599

Addendum addition 1: Authorize the adoption of the updated Master Plan for the Dallas Convention Center as prepared by HKS/SOM - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Poss.

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

Voting Yes: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Voting No: [0]

Absent when vote taken: [1] Mayes

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0600

Addendum addition 2: 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

Councilmember Loza moved to nominate Matthew Orwig to the Ethics Task Force Committee.

Motion seconded by Councilmember Blumer and unanimously adopted.



OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0601

Addendum addition 3: Authorize a contract for repairs to the water wall fountain at the Morton H. Meyerson Symphony Center at Betty B. Marcus Park - American Restoration, Inc., lowest responsible bidder of four and authorize an increase of appropriations in Capital Construction Funds by \$242,291 - \$242,291 - Financing: Capital Construction Funds

Councilmember Forsythe Lill moved to defer the item until the city manager can work out problems with the contractor.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 10, 1999

99-0602

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, FEBRUARY 10, 1999

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, FEBRUARY 10, 1999

99-0540

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

February 10, 1999

99-0594

Item 52: Public Hearing - Zoning Case Z978-302/9670-SW(RB)

A public hearing was called on zoning case Z989-302/9670-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.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- Mike Coker, 6360 LBJ Frwy.
- Sarah Bryant, 3130 Springwood Ln.
- ~~Don Robinson~~, Ron Law, 22001 Galloway Tower, representing the applicant

Appearing in favor of the city plan commission recommendation:

- Neoma Shafer, 2538 W. Kiest Blvd.
- Joe Martin, 3105 Gladiolus Ln.
- Nancy Moffett, 3114 Mapleleaf Ln.
- David Marquis, 3110 W. Kiest Blvd.

Councilmember Mallory Caraway moved to close the public hearing, ~~amend~~ accept the recommendation of the city plan commission ~~and~~ to deny the application ~~without~~ with prejudice.

Motion seconded by Mayor Pro Tem Poss.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmember Lipscomb voting **■No.**