

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 14, 1999

99-1250

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

PRESENT: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [1] Mayes absent on city business

The meeting was called to order at 9:34 a.m.

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

The invocation was given by Rev. Terry S. Masters, pastor, Damacus Missionary Baptist Church.

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 3:45 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, APRIL 14, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 14, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1251

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: Jonathan Sterling, 4917 East Side Ave.
REPRESENTING: Association Del Vecindario
SUBJECT: Sale of properties on Willow St.

SPEAKER: Brooks Fitch, 5327 Gatesworth Ln.
SUBJECT: Memorial update

SPEAKER: Joe Martin, 3105 Gladiolus Ln.
SUBJECT: Rules of Procedure

CANCELED

SPEAKER: Michael Simmons, 2515 Lawrence St.
SUBJECT: Dear City Attorney and Code Compliance, I thought we had a deal. I guess not.

SPEAKER: Elsie Risby, 2900 Dilido Rd.
SUBJECT: Budget '99

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: President Clinton/E.P.A./K.K.K./D.H.A.

SPEAKER: Marline Lytle, 2701 S. Elm St. Little Rock, Arkansas
SUBJECT: Homeless Housing/Harassment by Dallas Police

NO SHOW

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

SPEAKER: Marvin Bigelow, 1950 Record Crossing Rd.
SUBJECT: General concerns

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1252

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of March 24, 1999, were presented for approval.

Councilmember Loza moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1253

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-53, was presented for consideration.

Councilmember Loza requested that consent agenda item 18 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Loza's request.

The following individual appeared to comment on consent agenda items:

- Joe Martin, 3105 Gladiolus Ln., concerning consent agenda item 50

Councilmember Loza moved to approve all items on the consent agenda with the exception of agenda items 18 and 50 which would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1254

Item 2: Authorize professional services contracts for: (1) topographic survey and engineering design of 2 alley reconstructions, (2) surveying and engineering design of 3 Neighborhood Renaissance Partnership Section 108 unimproved streets and (3) surveying of 6 Neighborhood Renaissance Partnership Section 108 unimproved streets (list attached) - \$203,582 - Financing: 1998 Bond Funds (\$33,878), Neighborhood Renaissance Partnership Section 108 Notes (\$145,219), Water Utilities Capital Construction Funds (\$24,485)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1255

Item 3: **Costa Mesa Drive & Housley Drive from Joaquin Drive to Desdemona Drive**

- * Authorize rescinding the professional services contract with Cook, Flatt & Strobel Engineers approved by the City Council on December 9, 1998, pursuant to Resolution No. 98-3485, for the design of paving and drainage improvements on the alley between Costa Mesa Drive & Housley Drive from Joaquin Drive to Desdemona Drive - Financing: No cost consideration to the City

Approved as part. of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1256

Item 4: **Costa Mesa Drive & Housley Drive from Joaquin Drive to Desdemona Drive**

- . * Authorize a professional services contract with Consoer Townsend Envirodyne Engineers, Inc. for the design of paving and drainage improvements on the alley between Costa Mesa Drive & Housley Drive from Joaquin Drive to Desdemona Drive - \$20,847 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1257

Item 5: Authorize an increase in the contract with McMahon Contracting, Inc. to provide retaining walls, sidewalk curb, concrete steps, and reset wrought iron fences on Weisenberger Drive from Leath Street north to dead-end - \$35,184, from \$770,096 to \$805,280 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1258

Item 6: Authorize calling of a benefit assessment hearing to be held on May 26, 1999 for street paving, storm drainage, water and wastewater main improvements on Modella Avenue from Dennis Road to Allister Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1259

Item 7: Authorize calling of a benefit assessment hearing to be held on May 26, 1999 for street paving, and storm drainage improvements on Mohawk Drive from Empire Central Drive to Lovedale Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1260

Item 8: **Alley Group 98-1112**

- * Authorize alley paving 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

April 14, 1999

99-1261

Item 9: **Alley Group 98-1112**

- * 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

April 14, 1999

99-1262

Item 10: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jesus Lopez, Jorge Lopez, and Mario Lopez, of approximately 10.44 acres of unimproved land, located near Cliffview Drive and U.S. Highway 175 for the Prairie Creek Open Space Project - \$27,995 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1263

Item 11: **D-FW International Airport**

- * Authorize the acceptance of an avigation easement from Young Ja Kim, Individually and as Independent Executrix of the Estate of Young Kook Kim, deceased, over a single-family residential property, located at 911 & 913 Colony Ridge Court in the City of Irving in accordance with provisions of the Sales Guarantee Program associated with the D-FW International Airport noise mitigation program involving property owner sales to third-parties, or in the alternative, authorize acquisition of fee title to the property at 93% of the appraised value in the event no sale occurs and upon retaining the necessary avigation easement, authorize the property acquired to be advertised for sale by sealed bids - \$195,300 - Financing: D-FW International Airport Joint Revenue Bond Funds (no cost or revenue consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1264

Item 12: **D-FW International Airport**

- * 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 - \$71,250 (\$34,200 in easement acquisition payments and \$37,050 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

April 14, 1999

99-1265

Item 13: **D-FW International Airport**

- * Authorize acceptance of individual aviation easements over 2 multi-family apartment properties containing a total of approximately 831,873 square feet of land, located in the City of Irving in exchange for construction of certain sound insulation work on the building improvements totaling \$2,600,000 in accordance with provisions of the Noise Abatement Program associated with the D-FW International Airport noise mitigation program - 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

April 14, 1999

99-1266

Item 14: **D-FW International Airport**

- * Authorize the sale of three single-family residential properties to the highest bidders, 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 - Revenue: \$320,064 - 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

April 14, 1999

99-1267

Item 15: Authorize a one-year lease, with nine one-year option periods, of approximately 2,079 square feet of terminal space, with the Federal Aviation Administration, at Redbird Airport - Revenue: \$9,336 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1268

Item 16: An ordinance granting a revocable license to MCI Telecommunications Corporation, for the use of approximately 13,815 square feet of land, to maintain a subsurface fiber optic communications conduit in a portion of Wildwood Drive and California Crossing rights-of-way - Revenue: \$609 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23840.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1269

Item 17: An ordinance granting a revocable license to MCI Telecommunications Corporation, for the use of approximately 91,941 square feet of land, to maintain two subsurface fiber optic communications conduits in a portion of Dallas Water Utilities right-of-way extending from Beltline Road in Carrollton to Walnut Hill Lane - Revenue: \$6,162 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23841.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1270

Item 18: Authorize the quitclaim of 19 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders - Revenue: \$231,304

Councilmember Loza requested that consent agenda item 18 be considered as an individual item. Mayor Kirk stated that consent agenda item 18 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Loza's request.

Later in the meeting agenda item 18 was brought up for consideration.

Councilmember Loza moved to authorize the quitclaim of all properties acquired by the taxing authorities from the Sheriff's Sale with the exception of parcel 19 listed as 4529, 4533 and 4539 Willow Street.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1271

Item 19: An ordinance granting renewal of a private license to Seven Seventeen HB Dallas Corporation, for the use of approximately 7,897 square feet of land, to maintain an existing basement, light shafts and ventilating shafts in subsurface portions of Pearl, Live Oak, Olive and Bryan Streets rights-of-way - Revenue: \$7,092 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23842.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1272

Item 20: An ordinance granting a revocable license to MPT Investments, Inc., for the use of approximately 6,524 square feet of land, to install and maintain a perimeter fence, landscaping, and playground located near the intersection of Kendale Drive and Overlake Drive - Revenue: \$350 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23843.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1273

Item 21: An ordinance granting renewal of a private license to Triple/S Dynamics, Inc., for the use of approximately 990 square feet of land, to maintain existing landscaping in Gurley Street right-of-way, located near its intersection with Fletcher Street - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23844.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1274

Item 22: An ordinance granting a revocable license to United States Postal Service, for the use of approximately 651 square feet of land, to maintain subsurface communication cables in Brookriver right-of-way near its intersection with Mockingbird Lane - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23845.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1275

Item 23: Authorize a sixty month maintenance agreement for the fire alarm monitoring and control system at Love Field - Simplex Time Recorder Company, Inc. - Sole Source - Not to exceed \$229,000 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1276

Item 24: Authorize a thirty-six month price agreement for runway paint with the lowest responsible bidder of three - Centerline Industries, Inc. - Not to exceed \$51,440 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1277

Item 25: Authorize a twenty-four month multiple award price agreement for radio equipment with the lowest responsible bidders of three - DLB Enterprises, Inc. dba Metroplex Two Way Radio and MOTOROLA, Inc. - Not to exceed \$6,632,695 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1278

Item 26 Authorize a thirty-six month price agreement for automotive alternator and starter rebuild with the lowest responsible bidder of four - Marek's Generator and Starter Service - Not to exceed \$209,871 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1279

Item 27: Authorize a thirty-six month price agreement for emergency lighting equipment and parts with the lowest responsible bidders of six - BELSCO, Inc., Dallas Public Safety Supply, Inc., Emergency Vehicle Equipment Co. and GT Distributors, Inc. - Not to exceed \$331,315 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1280

Item 28: Authorize a thirty-six month price agreement for hydraulic cylinder, pump and valve repair with the lowest responsible bidder of five - THD Hydraulics, Inc. - Not to exceed \$242,070 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1281

Item 29: Authorize a forty-eight month multiple award price agreement for police uniforms with the lowest responsible bidders of three - New York Clothiers & Loan, Inc. and Texas State Distributors - Not to exceed \$2,072,938 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1282

Item 30: Authorize a twenty-four month price agreement for wood shavings for horse stalls with the lowest responsible bidder of three - Marshall Grain Co., Inc. - Not to exceed \$131,995 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1283

Item 31: Authorize a twenty-four month price agreement for hydrated lime with the lowest responsible bidder of two - Texas Lime Company - Not to exceed \$60,660 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1284

Item 32: Authorize a thirty-six month price agreement for concrete and asphalt saw blades with the lowest responsible bidder of eleven - U S Rentals, Inc. - Not to exceed \$306,989 - Financing: Water Utilities Current Funds (\$131,091), Current Funds (\$175,898)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1285

Item 33: Authorize a twenty-four month price agreement for powdered beverages with the lowest responsible bidders of eight - Abatix Environmental Corp., Saf-T-Glove, Inc. and Gold Label, Inc. - Not to exceed \$99,344 - Financing: Current Funds (\$73,924), Water Utilities Current Funds (\$25,420)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1286

Item 34: Authorize settlement of a lawsuit, styled Annie Kizart v. Chari Smith and City of Dallas, Cause No. 97-05574-B - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1287

Item 35: Authorize settlement of a lawsuit, styled Betsy Prince v. Stephen W. Gunn and City of Dallas, Cause No. 97-09191-H - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1288

Item 36: Authorize settlement of a lawsuit, styled Carol A. Herndon v. City of Dallas, Cause No. 97-08865-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1289

Item 37: Authorize settlement of two lawsuits, styled Jackie Ladapo v. City of Dallas, Federal Cause No. 3:96-CV-01791-G and State Cause No. 97-09473-M - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1290

Item 38: Authorize a two-year extension of the City Depository/City Treasurer's Contract with James C. Monroe and his affiliated banking institution, Bank One, Texas, NA to June 30, 2001 - Not to exceed \$1,100,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1291

Item 39: An ordinance awarding a franchise for 10 years to Time Warner Telecom of Texas, L.P. to provide local exchange telephone services in competition with GTE and Southwestern Bell - Revenue: \$10,300,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23846.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1292

Item 40: An ordinance amending the existing telecommunications franchise ordinance, #23484 held by CSW/ICG ChoiceCom, L.L.P., reflecting a change in control of the franchise operator - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23847.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1293

Item 41: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1294

Item 42: Authorize economic development grants with nonprofit agencies as follows: (1) Jubilee Park Foundation will fund improvements to Jubilee Park in an amount not to exceed \$35,000; (2) Spida, Inc. will purchase equipment and make necessary renovations to its structure in an amount not to exceed \$35,000; (3) Guide Right Foundation will purchase supplies and materials, cover personnel and transportation costs for a tutoring program in an amount not to exceed \$17,857; (4) St. Philips School and Community will partially fund the construction of a community center in an amount not to exceed \$35,000; (5) Holmes Street Foundation will partially fund the salary of the program director for its residential substance abuse program in an amount not to exceed \$34,243; (6) Delta Sigma Theta Sorority, Inc. will purchase computers, printers, software and manuals, and copier supplies to support a tutoring program in an amount not to exceed \$17,900; and (7) Park South YMCA will partially fund childcare scholarships and kitchen renovations in an amount not to exceed \$35,000 - \$210,000 - Financing: South Dallas/Fair Park Trust Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1295

Item 43: **City Center TIF District**

- * Authorize a resolution amending City Council Resolution No. 97-3503 approved on October 22, 1997 to increase funding under the development agreement with Walt Hall Kirby Associates, Ltd. (developer) for certain streetscape and wastewater improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District), from \$250,000 to an amount not to exceed \$440,000 and authorize the establishment of appropriations - Financing: to be advanced by a private developer and reimbursed from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from the City Center TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1296

Item 44: **City Center TIF District**

- * Authorize a resolution amending City Council Resolution No. 97-3505 approved on October 22, 1997, declaring the intent of the City to reimburse Walt Hall Kirby Associates, Ltd. (developer) for funds advanced pursuant to a development agreement between the City and the developer, increasing the amount of the reimbursement, from \$250,000 to an amount not to exceed \$440,000 for certain public infrastructure improvements located in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) - Not to exceed \$440,000 - Financing: to be advanced by a private developer and reimbursed from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from the City Center TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1297

Item 45: **City Center TIF District**

- * Authorize (1) a contract for the construction of street paving, sidewalk improvements, landscape, streetscape, and storm drainage improvements on Akard Street, Main Street, and Elm Street located in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas (City Center TIF District) with Gibson and Associates, Inc., lowest responsible bidder of three in the amount of \$315,662, (2) assignment of the construction contract to Walt Hall Kirby Associates, Ltd. for construction administration, and (3) the amount of \$41,220 for design, construction administration and testing services - \$356,882 - Financing: Private Funds (Advance from Walt Hall Kirby Associates, Ltd. to the City Center TIF District Fund)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1298

Item 46: **Oak Cliff Gateway TIF District**

- * Authorize a resolution amending City Council Resolution No. 98-3583, approved by City Council on December 9, 1998, to extend the closing date for Jefferson at Kessler Heights, Phase I, L.P., and Jefferson at Kessler Heights, Phase II, L.P., ("JPI") from April 30, 1999 to December 31, 1999, and to extend the date for substantial completion of the Kessler Heights apartment project under the tax abatement agreement from August 31, 2002 to August 31, 2003 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1299

Item 47: **Oak Cliff Gateway TIF District**

- * An ordinance amending Ordinance No. 23724, approved by City Council on December 9, 1998 to extend the closing date on the property for the Jefferson at Kessler Heights, Phase I, L.P., and Jefferson at Kessler Heights, Phase II, L.P., development from April 30, 1999 to December 31, 1999 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23848.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1300

Item 48: Authorize (1) a real property tax abatement agreement with Sylvan I-30 Enterprises, Inc. for the purpose of granting a ten-year abatement on 90% of the taxes on added value to real property for the development of its new convenience store and restaurant facility on property in City of Dallas Enterprise Zone One located at I.H. 30 and Sylvan Avenue, Dallas, Texas 75208; and (2) a 100% development fee rebate to Sylvan I-30 Enterprises, Inc. in an amount not to exceed \$6,000 - Revenue: First year tax revenue estimated at \$746. Ten-year revenue estimated at \$7,465. (Estimated revenue foregone for ten-year abatement \$67,182) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1301

Item 49: Authorize Contract Renewal No. 1 with The Bethlehem Foundation for a family stabilization program in Southern Dallas for the provision of emergency aid and case management services to the indigent for the period April 13, 1999 through April 12, 2000 - \$65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1302

Item 50: Authorize the expansion of neighborhood boundaries for the Neighborhood Renaissance Partnership Program Areas A and C with no change in funding allocation - Financing: No cost consideration to the City

Later in the meeting, Councilmember Loza moved to reconsider the approval of agenda item 50 as part of the consent agenda and that agenda item 50 be removed from the consent agenda to be considered as an individual item to allow a speaker to speak.

Motion seconded by Mayor Pro Tem Poss.

The following individual addressed the city council regarding the expansion of neighborhood boundaries:

-- Joe Martin, 3105 Gladiolus Ln.

Deputy Mayor Pro Tem Salazar moved to defer the item until the May 12, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Loza and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1303

Item 51: Authorize the acceptance of \$200,000 Mobil Foundation funds to provide employment, training and basic education services for low to moderate income youth ages 16 and above, and certain costs for the construction of single-family homes during the summer totaling \$187,800; and authorize an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component for \$12,200 - \$200,000 - Financing: No cost consideration to the City/1999 Mobil Foundation Trust Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1304

Item 52: Authorize extension of the moratorium on the acceptance of applications for building permits and certificates of occupancy for the bus or rail transit vehicle maintenance or storage facility use; directing the City Manager and the City Plan Commission to perform appropriate analysis, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the City Council regarding appropriate revisions to the regulations governing the use - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1305

Item 53: An ordinance authorizing a correction to the property description in Ordinance No. 23624 which granted an amendment to the conditions for the Tract IIa portion of Planned Development District No. 160 by creating a new Tract IIc that would permit Tract IIa uses and development standards as well as permitting a surface parking use on property on the northwest side of Bishop Avenue, southwest of Colorado Boulevard (Z978-203/5983-SW(RB) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23849.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1306

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 54-58 was presented.

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

- Agenda item 54: Zoning Case Z989-141/10768-NE(SS)
- Agenda item 55: Zoning Case Z989-155/9697-NC(ML)
- Agenda item 56: Zoning Case Z989-156/6597-NC(ML)
- Agenda item 57: Zoning Case Z989-157/10105-SW(RB)
- Agenda item 58: Zoning Case Z989-158/10785-SW(RB)

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:

- Albert Alphonso, 8561 Alturo Ave., regarding Zoning Case Z989-141/10768-NE(SS)

Councilmember Finkelman 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 Deputy Mayor Pro Tem Salazar and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1307

Item 54: Zoning Case Z989-141/10768-NE(SS)

Zoning Case Z989-141/10768-NE(SS), an application for and an ordinance granting a Planned Development District for certain R-5(A) Single Family District Uses and Private Streets on property presently zoned an R-7.5(A) Single Family District on the northwest side of Ferguson Road, southwest of Lakeland Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23850.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1308

Item 55: Zoning Case Z989-155/9697-NC(ML)

Zoning Case Z989-155/9697-NC(ML), an application for and an ordinance granting the renewal of Specific Use Permit No. 1216 for a Commercial Amusement (outside) use for a golf practice and driving range on property presently zoned an MU-3 Mixed Use District at the west corner of Goldmark Drive and North Central Expressway.

(The city plan commission recommended approval until July 31, 2000, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23851.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1309

Item 56: Zoning Case Z989-156/6597-NC(ML)

Zoning Case Z989-156/6597-NC(ML), an application for and an ordinance granting an amendment to the conditions for Tract B within Planned Development District No. 308 for MU-1 Mixed Use District Uses and CR Community Retail District Uses at the northeast corner of Webb Chapel Road and Forest Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23852.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1310

Item 57: Zoning Case Z989-157/10105-SW(RB)

Zoning Case Z989-157/10105-SW(RB), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-10(A) Single Family District on the west side of Hampton Road, north of Camp Wisdom 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, landscape plan, and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23853.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1311

Item 58: Zoning Case Z989-158/10785-SW(RB)

Zoning Case Z989-158/10785-SW(RB), an application for and an ordinance granting a Specific Use Permit for a Public School (Eagle Advantage Charter School) on property presently zoned an IR Industrial Research District on the west side of Joseph Hardin Drive, north of Country Creek Drive.

(The city plan commission recommended approval for a ten 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. 23854.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1312

Item 59: Public Hearing - Zoning Case Z989-126/10743-NC(ML)

A public hearing was called on zoning case Z989-126/10743-NC(ML), an application for a Planned Development District for MF-1(A) Multifamily District Uses on property presently zoned an MF-1(A) Multifamily District on the east side of Noel Road, north of Spring Valley Road.

(The city plan commission recommended denial.)

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

Councilmember Finkelman moved to postpone consideration of the application until the May 12, 1999 voting agenda meeting of the city council and continue the public hearing at that time.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1313

Item 60: Public Hearing - Zoning Case Z989-134/10754-SE(RB)

A public hearing was called on zoning case Z989-134/10754-SE(RB), an application for a Specific Use Permit for a Vehicle or engine repair or maintenance use on property presently located within Subarea 1/Tract II of Planned Development District No. 366, the Buckner Boulevard Special Purpose District, on the east side of Buckner Boulevard, south of Bearden Lane.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

- William Cothrum, 500 S. Ervay St., representing the applicant

Appearing in favor of the city plan commission recommendation:

- Frances Segrist, 3304 Loganwood Dr.
- Bill McCord, 7222 Eccles Dr.
- Bill Wadkins, 2843 Modesto Dr.

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

Motion seconded by Councilmember Hicks.

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

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1314

Item 61: Public Hearing - Zoning Case Z989-139/10290-C(RB)

A public hearing was called on zoning case Z989-139/10290-C(RB), an application for a Planned Development District for certain CR Community Retail District Uses on property presently zoned an MF-2(A) Multifamily District on the northwest side of Live Oak Street between Fitzhugh Avenue and Collett Avenue.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1315

Public Hearing -BENEFIT ASSESSMENT HEARING

Mary Street from alley south of Hudson Street north to Hudson Street

- Item 62: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 63: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the street listed above - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefits assessments for street paving, storm drainage, water and wastewater improvements for Mary Street from alley south of Hudson Street north to Hudson Street.

No one appeared in opposition to or in favor of the proposed improvements or assessments.

Councilmember Forsythe Lill moved to close the public hearing and pass the ordinance levying the assessments.

Motion seconded by Councilmember Hicks and unanimously adopted. (Mayes absent on city business)

Assigned ORDINANCE NO. 23855.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1316

Public Hearing -BENEFIT ASSESSMENT HEARING

Vicksburg Street from Lupo Drive to Lagoon Drive

- Item 64: * Benefit assessment hearing for street paving, water and wastewater main improvements for the street listed above
- Item 65: * Ordinance levying benefit assessments for street paving, water and wastewater main improvements for the street listed above - Financing: No cost consideration to the City

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, water and wastewater main improvements for Vicksburg Street from Lupo Drive to Lagoon Drive.

No one appeared in opposition to or in favor of the proposed improvements or assessments.

The following individual appeared to comment on the proposed improvements or assessments:

- Anthony Fertitta, 9824 Rockbrook Dr.
- Mark Purdue, 4328 Memphis St., representing Mod-i-set Plastic

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

Motion seconded by Councilmember Hicks and unanimously adopted. (Mayes absent on city business)

Assigned ORDINANCE NO. 23856.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1317

Item 66: 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 April 14, 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 Finkelman 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 and unanimously adopted. (Mayes absent on city business)

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

99-1329	CPR	DALLAS CITIZENS POLICE REVIEW BOARD
99-1330	SDF	SOUTH DALLAS/FAIR PARK TRUST FUND BOARD
99-1331	URSB	URBAN REHABILITATION STANDARDS BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1318

Item 67: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A)

There were no appointment of members to the DART Board.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1319

Item 68: Consideration of qualifications and appointment of City Attorney

The city council took no action on this item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1320

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, 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-1187-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-003-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.3-98-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R

Personnel (Sec. 551.074 T.O.M.A.)

- Discuss qualifications of candidates and appointment of City Attorney

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:

Personnel (Sec. 551.074 T.O.M.A.)

- Discuss qualifications of candidates and appointment of City Attorney

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1321

Briefing: A. Update on Texas Legislative issues (if necessary)

Tom Luce and Larry Casto, assistant city attorney, briefed the city council on the item.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1322

Addendum addition 1: Discussion and statement of Dallas' position on various 1999 state legislative issues that could possibly affect the City of Dallas or its citizens including, but not limited to, the 2012 Olympic games, the Children's Health Insurance Program (CHIP), and other items included in the City of Dallas Legislative Program - Financing: No cost consideration to the City

Councilmember Finkelman moved to approve the resolution supporting the Texas Legislature establishing eligibility for the Children's Health Insurance Program (CHIP) at 200% of the Federal Poverty Level and fully funding the program.

Motion seconded by Councilmember Duncan and unanimously adopted. (Mayes absent on city business).

Councilmember Duncan moved to support House Bill 1704 related to Zoning Platting and Permits.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Mayes absent on city business)

Councilmember Duncan moved to support House Bill 1201 related to Collective Bargaining (Meet and Confer).

Motion seconded by Councilmember Loza.

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

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

Mayor Kirk declared the motion lost.

Mayor Pro Tem Poss moved to have Larry Casto brief the full council regarding all legislative bills regarding Collective Bargaining (Meet and Confer) at the April 21, 1999 briefing meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Mayes absent on city business)

Councilmember Loza moved to support the legislation granting authority to mandate treatment for substance abuse and penalties for repeat offenders as enumerated by the Central Dallas Association.

Motion seconded by Councilmember Duncan.

After discussion, Councilmember Loza withdrew his motion in order for the full council to be briefed at the same time as the legislative bills regarding Collective Bargaining (Meet and Confer) at the April 21 briefing meeting of the city council.

Councilmember Duncan moved to support the legislation relating to facilitating and supporting efforts of certain municipalities to promote economic develop by hosting the Pan American Games and the Olympic Games.

Motion seconded by Councilmember Lipscomb.

Councilmember Greyson asked Councilmember Duncan if he would accept a friendly amendment to his motion to clarify that language with respect to the city's liability in the event there is a short fall.

Councilmember Duncan accepted the amendment as part of his motion.
Councilmember Lipscomb, who seconded the original motion, also accepted the amendment.

During debate on Councilmember Duncan's motion Councilmember Hicks moved the previous question.

Motion seconded by Councilmember Lipscomb.

Mayor Kirk called the vote on Councilmember Hicks' motion to end debate and proceed to an immediate vote on the pending question.

Voting Yes: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Voting No: [0]

Absent: [1] Mayes absent on city business

Mayor Kirk declared the previous question was ordered as two-thirds of the city council members presented had voted in the affirmative.

Mayor Kirk then called the vote on Mayor Pro Tem Poss' motion:

Voting Yes: [12] Kirk, Poss, Salazar, Loza, Duncan, Hicks, Mallory Caraway, Lipscomb,
Walne, Finkelman, Greyson, Forsythe Lill

Voting No: [2] Miller, Blumer

Absent: [1] Mayes absent on city business

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1323

Addendum addition 2: McCommas Bluff Landfill

- * Authorize a professional services contract with EMCON, Inc. For corrective measures to address an existing overflow condition at the McCommas Bluff Landfill - Not to exceed \$201,400 - Financing: Contingency Reserve Funds

Councilmember Lipscomb moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1324

Addendum addition 3: McCommas Bluff Landfill

- * Authorize payment of penalties assessed in a proceeding, styled City of Dallas, McCommas Bluff Landfill; TNRCC ID NO. 62; Enforcement ID NO. 10065; TNRCC Docket NO. 97-0196-MSW-E - Financing: Current Funds

Councilmember Lipscomb moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Mayes absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1325

Addendum addition 4: An ordinance granting a private license to Metropolitan Investment II, L.P., for the use of approximately 1,378 square feet of land, to install and maintain an awning and access drive in Luther Lane right-of-way located near its intersection with Douglas Avenue - Revenue: \$4,920 annually plus the \$20 ordinance publication fee

Councilmember Blumer moved to pass the ordinance.

Motion seconded by Councilmember Loza and unanimously adopted. (Mayes absent on city business)

Assigned ORDINANCE NO. 23857.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1326

Addendum addition 5: An ordinance adopting a boundary adjustment agreement with the City of Mesquite - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Mayes absent on city business)

Assigned ORDINANCE NO. 23858.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1327

Addendum addition 6: An ordinance amending Ordinance 23810 ordering the May 1, 1999 general election, to change some election-day locations and eliminate two early locations - Financing: This action has no cost consideration to the City

The city secretary announced that the posting of addendum addition 6 was posted incorrectly. The item should read: "An ordinance amending Ordinance 23810 ordering the May 1, 1999 general election, to change some election-day and early voting locations".

The changes are: **Early Voting**

Coppell Town Center
Richardson Civic Center
Tommie Allen Recreation Center

Election Day

Aldridge Elementary School
The Forum at Park Lane
The Woodlands Apartments Police Center
Prince Hall Chambre
Singing Hills Recreation Center
Highland Hills United Methodist Church

The information placed in each councilmember's notebooks is correct.

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Mayes absent on city business)

Assigned ORDINANCE NO. 23859.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1328

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, APRIL 14, 1999

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 14, 1999

99-1250

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

PRESENT: [14] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [1] Mayes absent on city business

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

99-1322

Addendum addition 1: Discussion and statement of Dallas' position on various 1999 state legislative issues that could possibly affect the City of Dallas or its citizens including, but not limited to, the 2012 Olympic games, the Children's Health Insurance Program (CHIP), and other items included in the City of Dallas Legislative Program - Financing: No cost consideration to the City

Councilmember Finkelman moved to approve the resolution supporting the Texas Legislature establishing eligibility for the Children's Health Insurance Program (CHIP) at 200% of the Federal Poverty Level and fully funding the program.

Motion seconded by Councilmember Duncan and unanimously adopted. (Mayes absent on city business).

Councilmember Duncan moved to support House Bill 1704 related to Zoning Platting and Permits.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Mayes absent on city business)

Councilmember Duncan moved to support House Bill 1201 related to Collective Bargaining (Meet and Confer).

Motion seconded by Councilmember Loza.

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

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

Mayor Kirk declared the motion lost.

Mayor Pro Tem Poss moved to have Larry Casto brief the full council regarding all legislative bills regarding Collective Bargaining (Meet and Confer) at the April 21, 1999 briefing meeting of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 14, 1999

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Mayes absent on city business)

Councilmember Loza moved to support the legislation granting authority to mandate treatment for substance abuse and penalties for repeat offenders as enumerated by the Central Dallas Association.

Motion seconded by Councilmember Duncan.

After discussion, Councilmember Loza withdrew his motion in order for the full council to be briefed at the same time as the legislative bills regarding Collective Bargaining (Meet and Confer) at the April 21 briefing meeting of the city council.

Councilmember Duncan moved to support the legislation relating to facilitating and supporting efforts of certain municipalities to promote economic develop by hosting the Pan American Games and the Olympic Games.

Motion seconded by Councilmember Lipscomb.

Councilmember Greyson asked Councilmember Duncan if he would accept a friendly amendment to his motion to clarify that language with respect to the city's liability in the event there is a short fall.

Councilmember Duncan accepted the amendment as part of his motion.

Councilmember Lipscomb, who seconded the original motion, also accepted the amendment.

During debate on Councilmember Duncan's motion Councilmember Hicks moved the previous question.

Motion seconded by Councilmember Lipscomb.

Mayor Kirk called the vote on Councilmember Hicks' motion to end debate and proceed to an immediate vote on the pending question.

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

Mayor Kirk declared the previous question was ordered as two-thirds of the city council members presented had voted in the affirmative.

Mayor Kirk then called the vote on ~~Councilmember Duncan~~ Mayor Pro Tem Poss' motion:

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

Mayor Kirk declared the motion adopted.