

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 5, 1999

99-1520

CITY COUNCIL BRIEFING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR RON KIRK, PRESIDING

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

The meeting was called to order at 9:23 a.m.

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

The invocation was given by Rev. Mary Lou Dillon, associate minister, Rosemont Christian 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 4:15 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, MAY 5, 1999

May 6, 1999 8:15 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

EXHIBIT A

May 6, 1999 8:15 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 5, 1999

EXHIBIT B

May 6, 1999 8:15 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1521

Agenda item (3): Special Presentations

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

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1522

OPEN MICROPHONE

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

OPEN MICROPHONE - BEGINNING OF MEETING:

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

SPEAKER: Davina Rhine, 7222 Fair Oaks Ave. **NO SHOW**
SUBJECT: Public intoxication ordinance/Police brutality issues

SPEAKER: Glen Leach, 12930 Windfall Cir. **NO SHOW**
SUBJECT: Policy of Dallas Police Department

SPEAKER: Sandra Leach, 12930 Windfall Cir. **NO SHOW**
SUBJECT: Policy of Dallas Police Department

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Jimmy Lee, P.O. Box 4994 **NO SHOW**
REPRESENTING: Relief In the Communities, Inc.
SUBJECT: Petition/URSB

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: RSR Lead/EPA/KKK/DHA

SPEAKER: Marvin Bigelow, 1950 Bellewood Dr.
SUBJECT: Hit and run accident

SPEAKER: Robert Harrell, 9624 Bellewood Dr.
REPRESENTING: Investment Mechanical
SUBJECT: Red Bird Development Corporation/Open Information Act

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1523

Action Item 1: Approval of Minutes of the April 7, 1999 and April 21, 1999 City Council Meetings

Councilmember Mayes moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1524

Action Item 2: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074 T.O.M.A.)

There were no consideration of appointments to boards and commissions.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1525

Action Item 3: 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.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1526

Action Item 4: Receive report of the canvassing committee and adopt a resolution accepting the canvassing committee's report declaring the results of the May 1, 1999 general election - Financing: This action has no cost consideration to the City

The following individuals addressed the city council regarding the canvassing committee report:

- Marvin Crenshaw, 5134 Malcolm X Blvd.
- Sharon Middlebrooks, 2235 Narboe St.
- Margaret Donnelly, 7520 W. Northwest Hwy.

Councilmember Hicks moved to approve the resolution.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Salazar, Greyson absent when vote taken)

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1527

Action Item 5: Actions to be considered if a runoff election is necessary

- * An ordinance ordering a runoff election to be held Saturday, May 29, 1999 for the purpose of electing members of the city council to represent districts in which no candidates received a majority of the votes in the general election held May 1, 1999 - Financing: This action has no cost consideration to the City

Councilmember Mayes moved to pass the ordinance.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23872.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1528

Action Item 6: Actions to be considered if a runoff election is necessary

- * A resolution authorizing an extension of the joint election agreement and election services contract between the City of Dallas, other jurisdictions, and Dallas County for the conduct of a runoff election to be held on Saturday, May 29, 1999 not to exceed \$211,200 - Financing: Current Funds

Councilmember Mayes moved to approve the resolution.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1529

Action Item 7: Actions to be considered if a runoff election is necessary

- * A resolution authorizing the mayor to appoint an ad hoc city council canvassing committee to review the returns of the May 29, 1999 runoff election and submit a canvass report to the full city council on Wednesday, June 2, 1999 - Financing: This action has no cost consideration to the City

Mayor Kirk moved to appoint Councilmembers Duncan, Hicks and Mayes to the ad hoc city council canvassing committee, with Councilmember Mayes as chair.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1530

Action Item 8: 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 moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23873.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1531

Action Item 9: 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 moved to pass the ordinance with the following changes:

- (1) Provide that the district be considered a nonresidential zoning district as long as no portion of the district is developed with multifamily uses.
- (2) Provide a 15 foot front yard setback for multifamily uses.
- (3) Provide a 10 foot side and rear yard setback for multifamily uses.
- (4) Provide that the lot coverage for multifamily uses not exceed 60 percent.
- (5) Provide that parking garages are exempt from the story limitation, not the height limitation.
- (6) Provide that the yard, lot and space regulations of the CS Commercial Service District apply to all CS Commercial Service District uses.
- (7) Provide a new conceptual plan which complies with the preceding conditions.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23874.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1532

Action Item 10: An ordinance abandoning a portion of Wateka Drive and an alley to HG Partners Ltd., the abutting owner, containing approximately 63,984 square feet of land, located near the intersection of Webster Street and University Boulevard, providing for the reservation of approximately 63,984 square feet of land needed for an avigation easement and authorizing the quitclaim - Revenue: \$122,369 plus the \$20 ordinance publication fee

The following individuals addressed the city council regarding the abandonment:

- Terry Gipson, 16 Edgemere Dr., Trophy Club
- Brenda Fields, 7718 Kaywood Dr., representing North Park Community Development Corporation
- Joyce Lockley, 4718 Wateka Dr.

Councilmember Forsythe Lill moved to pass the ordinance.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23875.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1533

Briefing: A. FY 1999-2000 Consolidated Plan Budget

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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99-1534

Briefing: B. HUD Section 108 Review

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1535

Briefing: C. FY 1999-2000 General Fund and Debt Service Budget Outlook and Development

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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99-1536

Briefing: D. TCI Cable Television Rate Regulation and Franchise Review

The city manager briefed the city council on the item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

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99-1537

Briefing: E. Update on Texas Legislative Issues

The briefing of this item was postponed.

Action Item 11: Discussion and statement of Dallas' position on various 1999 state legislative issues that could possibly affect the City of Dallas or its citizens - Financing: No cost consideration to the City

The city council took no action on this item.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

May 5, 1999

99-1538

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
- James Kevin Connell v. City of Dallas, Cause No. 97-08890-J
- City of Dallas v. Gail Dickenson, in her official capacity, and Randal Hawthorne, Cause No. 96-03729-E
- Albert, et al. v. City of Dallas, Cause No. 199-697-94; Hill, et al. v. City of Dallas, Cause No. 95-00975-F; Willis, et al. v. City of Dallas, Cause No. 199-200-95; Barber, et al. v. City of Dallas, Cause No. 199-624-95; Parker, et al. v. City of Dallas, Cause No. 1-95-107; and Martin, et al. v. City of Dallas, Cause No.1-95-506; et al.

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

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

- 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
- James Kevin Connell v. City of Dallas, Cause No. 97-08890-J
- City of Dallas v. Gail Dickenson, in her official capacity, and Randal Hawthorne, Cause No. 96-03729-E
- Albert, et al. v. City of Dallas, Cause No. 199-697-94; Hill, et al. v. City of Dallas, Cause No. 95-00975-F; Willis, et al. v. City of Dallas, Cause No. 199-200-95; Barber, et al. v. City of Dallas, Cause No. 199-624-95; Parker, et al. v. City of Dallas, Cause No. 1-95-107; and Martin, et al. v. City of Dallas, Cause No.1-95-506; et al.

No other matters were discussed during the closed session.

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