

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 12, 1999

99-1580

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 9:37 a.m.

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

The invocation was given by Dr. Jerry L. Christian, Sr., pastor, Kirkwood Temple CME.

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 3:30 p.m.

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Mayor

ATTEST:

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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 12, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 12, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1581

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: Frank Bodzin, 4816 Myerwood Ln.  
SUBJECT: Appraisal District

SPEAKER: Mary Curran, 5734 Bent Creek Trail  
REPRESENTING: North Dallas Neighborhood Alliance  
SUBJECT: The Dallas Plan Target 2000

SPEAKER: Craig Holcomb, 5033 Milam St.  
REPRESENTING: Friends of Fair Park  
SUBJECT: Dallas' core assets and resources

**CANCELED**

SPEAKER: Edna Pemberton, 9438 Sophora Dr.  
REPRESENTING: Friends of Red Bird /Positively Oak Cliff  
SUBJECT: Neighborhood Partnership with the Dallas Plan

SPEAKER: William Hopkins, 2011 Leath St.  
SUBJECT: Corruption: Chief of Police/DISD/KKK/FBI

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Jimmy Lee, P.O. Box 4994  
REPRESENTING: Relief in the Communities, Inc.  
SUBJECT: Denied justice/URSB

**NO SHOW**

SPEAKER: Marvin Bigelow, 1950 Record Crossing Rd.  
SUBJECT: Hit and run drivers

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

May 13, 1999 9:35 am  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

SPEAKER: Gary Porter, 7132 Nandina Dr.  
SUBJECT: Dallas Auto Pound

SUBJECT: Lorenzo Littles, 1001 Lake Forest Dr., Southlake **CANCELED**  
REPRESENTING: The Enterprise Foundation  
SUBJECT: Community action to create Dallas' future

SUBJECT: Russell Morgan, 110 Eagles Nest Cir., Argyle **CANCELED**  
REPRESENTING: Greater Dallas Chamber  
SUBJECT: Economic development through The Dallas Plan

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1582

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of April 28, 1999, were presented for approval.

Councilmember Mayes moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

## OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1583

### CONSENT AGENDA

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

The city secretary announced that her office has received written notice from members of the city council, that consent agenda items 3 and 49 had been deferred until the next voting agenda meeting and that notice of that deferred or deleted items had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Loza requested that consent agenda item 2 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 2 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Loza's request.

Councilmember Blumer requested that consent agenda item 32 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Mayes moved to approve all items on the consent agenda with the exception of agenda items 3 and 49 which had been deferred until the next voting agenda meeting, and agenda items 2 and 32 which would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1584

Item 2: Authorize a professional services contract with Dunaway Associates, Inc. for a drainage study for the Cadillac Heights area - \$121,190 - Financing: 1998-99 Community Development Grant Funds (\$106,190), 1985 Bond Funds (\$15,000)

Councilmember Loza requested that consent agenda item 2 be considered as an individual item. Mayor Kirk stated that consent agenda item 2 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 2 was brought up for consideration.

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1585

Item 3: Authorize a professional services contract with Charles Gojer and Associates, Inc. for the design and preparation of construction documents for the removal and replacement of seven existing blast fences at Dallas Love Field Airport - \$157,030 - Financing: Aviation Capital Construction Funds

The city secretary announced that Councilmember Lipscomb had deferred consideration of consent agenda item 3 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

May 12, 1999

99-1586

Item 4: Authorize professional services contracts for one twelve-month period with one twelve-month renewal option with forty-eight firms for geotechnical investigation, materials testing, asbestos environmental and nonasbestos environmental testing services to be provided for City facilities, street and storm drainage projects, water and wastewater, other public improvements, and forensic testing - Not to exceed \$4,814,000 from May 23, 1999, through May 22, 2000 and \$4,814,000 from May 23, 2000, through May 22, 2001 - Financing: 1985 Bond Funds (\$80,000), 1995 Bond Funds (\$861,000), 1998 Bond Funds (\$2,839,098), Current Funds (\$3,148,902), Aviation Capital Construction Funds (\$580,000), Convention Center Expansion Funds (\$350,000), Water Utilities Capital Construction Funds (\$800,000), Capital Construction Funds (\$7,000), Asbestos Litigation Funds (\$572,000), Demolition Reserve Funds (\$160,000), 1994-95 Community Development Grant Funds (\$5,000), 1995-96 Community Development Grant Funds (\$5,000), 1996-97 Community Development Grant Funds (\$5,000), 1997-98 Community Development Grant Funds (\$15,000), 1998-99 Community Development Grant Funds (\$15,000), Section 108 Notes (\$180,000), Golf Surcharge Funds (\$3,000), Texas Parks and Wildlife Grant Funds (\$500), Site Development Boat Ramp Grant Funds (\$500), ISTEA Grant Funds (\$1,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1587

Item 5: Authorize a contract for the construction of the Central Library Literacy Lab at J. Erik Jonsson Central Library - Gilbert May, Inc., dba Phillips/May Corporation, lowest responsible bidder of two - \$59,638 - Financing: 1996-97 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1588

Item 6: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Mary Street from the alley south of Hudson Street north to Hudson Street - Gibson & Associates, Inc., lowest responsible bidder of four - \$103,521 - Financing: 1998 Bond Funds (\$82,657), Water Utilities Capital Construction Funds (\$20,864)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1589

Item 7: Authorize a contract for the construction of street paving, curbs, drive approaches, sidewalks, and upgrade of the existing water and wastewater mains on Vicksburg Street from Lupo Drive to Lagoon Drive - New Star Grading & Paving Construction Company, lowest responsible bidder of six - \$88,953 - Financing: 1998 Bond Funds (\$67,176), Water Utilities Capital Construction Funds (\$21,777)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1590

Item 8: Electrical/HVAC Improvements at Dallas Love Field

- \* Authorize a contract for the construction of electrical renovation at Dallas Love Field Airport Main Terminal - Gardner Zemke Company, lowest responsible bidder of seven - \$2,992,549 - Financing: Aviation Capital Construction Funds

Approved as part of consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1591

Item 9: Electrical/HVAC Improvements at Dallas Love Field

- \* Authorize a contract for the renovation of the skybridge at Dallas Love Field Airport - Coronado Builders, Inc., lowest responsible bidder of four - \$1,123,000 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1592

Item 10: Electrical/HVAC Improvements at Dallas Love Field

- \* Authorize Supplemental Agreement No. 1 to the contract with Carter & Burgess, Inc. to provide construction administration services for the renovation of the skybridge and the electrical renovation at Dallas Love Field Airport Main Terminal - \$257,245, from \$1,987,000 to \$2,244,245 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1593

Item 11: Authorize Supplemental Agreement No. 1 to the contract with HDI Group, Inc. for additional design services on Ravinia Drive from Catherine Street to Gladstone Street - \$26,400, from \$65,510 to \$91,910 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1594

Item 12: Authorize an increase in the contract with HCI General Contractors, Inc. for the construction of the expansion to the Fire Maintenance Building, located at 5000 Dolphin Road - \$19,546, from \$2,181,156 to \$2,200,702 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1595

Item 13: Authorize Supplemental Agreement No. 1 to the contract with HKS, Inc. for additional civil engineering and cultural resources investigations as required under the State of Texas Antiquities Code for the expansion and renovation of the Dallas Convention Center in the amount of \$465,075, from \$10,515,900 to \$10,980,975; and a reduction in procurement of the Project Professional Liability Insurance in the amount of (\$1,046), from \$459,000 to \$457,954 - \$464,029 - Financing: Convention Center Expansion Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1596

Item 14: Authorize an increase in the contract with Texas Standard Construction, Inc. for paving cut repairs at various locations throughout the City of Dallas - \$412,466, from \$1,687,949 to \$2,100,415 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1597

Item 15: Authorize Supplemental Agreement No. 2 to the contract with Jones & Boyd, Inc. to provide additional engineering services for safety improvements to the White Rock Lake Dam - \$170,800, from \$612,445 to \$783,245 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1598

Item 16: Authorize a benefit assessment hearing to be held on June 23, 1999 for alley paving, storm drainage, water and wastewater main improvements on Alley Group 98-1112 -  
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1599

Item 17: **Sidewalk Group 98-105**

Mark Trail south Ledbetter Drive to Canelo Drive

Jim Miller Road from Loop to Carter Road to existing sidewalk 303 feet south of Carter Road

Tioga Street from Palm Island Street to Texas College Drive

- \* Authorize sidewalk 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

May 12, 1999

99-1600

Item 18: **Sidewalk Group 98-105**

- \* 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

May 12, 1999

99-1601

Item 19: **Sidewalk Group 98-107**

Celestial Road (north side only) from North Dallas Parkway to Noel Road  
Noel Road from Spring

- \* Authorize sidewalk 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

May 12, 1999

99-1602

Item 20: **Sidewalk Group 98-107**

- \* 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

May 12, 1999

99-1603

Item 21: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Adelina Robles and Mary Medellin, of approximately 1,200 square feet of unimproved land for a drainage easement, located near the intersection of Knight Street and Sylvester Avenue for Throckmorton/Reagan Drainage Improvements - \$1,800 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1604

Item 22: Authorize renewal of a lease agreement with Martin Luther King, Jr. Family Clinic, Inc. for 10,000 square feet of space located in the Medical Service Building at the Martin Luther King, Jr. Community Center for the period June 1, 1999 through May 31, 2002 - Revenue: \$1

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1605

Item 23: An ordinance abandoning an alley and air rights to Wolf Street Partners, L.P., International Center Development II & III, Ltd., and International Center Development IV, Ltd., the abutting owners, containing approximately 4,370 square feet of land, located near the intersections of Wolf and Pearl Streets and Hunt and McKinnon Streets, respectively, and authorizing the quitclaim - Revenue: \$108,107 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23876.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1606

Item 24: An ordinance abandoning wastewater easements to Gables Realty Limited Partnership, the abutting owner, containing approximately 6,406 square feet of land, located near the intersection of McKinney Avenue and Allen Street, providing for the dedication of approximately 1,949 square feet of land needed for a wastewater easement, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23877.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1607

Item 25: Authorize the purchase of twelve replacement Suburbans with the lowest responsible bidder of two - Showcase Chevrolet - Not to exceed \$339,009 - Financing: 1998 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1608

Item 26: Authorize participation in a cooperative purchasing agreement with Dallas County for the remaining contract term for the purchase of office supplies, June 1, 1999 through May 31, 2000 - Office Depot, Business Services Division - Not to exceed \$1,800,000 - Financing: Various Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1609

Item 27: Authorize a sixty month price agreement for maintenance of the computerized access control system at Love Field with the lowest responsible bidder of three - Easter-Owens Integrated Systems, Inc. - Not to exceed \$462,996 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1610

Item 28: Authorize a twenty-four month price agreement for radio frequency fueling device parts with Control Software, Inc. - Sole Source - Not to exceed \$627,355 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1611

Item 29: Authorize the rejection of the only bid received for Chevrolet parts and labor 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

May 12, 1999

99-1612

Item 30: Authorize a twelve month price agreement for lumber with the lowest responsible bidders of nine - Superior Forest Products, Craddock Lumber Co. and Insulation Supply Co. - Not to exceed \$297,555 - Financing: Current Funds (\$183,497), 1998-99 Community Development Grant Funds (\$39,217), Water Utilities Current Funds (\$78,841)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1613

Item 31: Authorize a thirty-six month multiple award price agreement for water meters and detector check valves with the lowest responsible bidders of six - Schlumberger Industries, Inc., Badger Meter, Inc., ABB Water Meters, Inc., Hersey Meters - Div. of Mueller Co. and Sensus Technologies, Inc. - Not to exceed \$4,509,790 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1614

Item 32: Authorize the rejection of bids received for overhaul, repair and replacement of storm water pumps and motors and authorize readvertisement for new bids - Financing: No cost consideration to the City

Councilmember Blumer requested that consent agenda item 32 be considered as an individual item. Mayor Kirk stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Later in the meeting, agenda item 32 was brought up for consideration.

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1615

Item 33: Authorize the purchase of a hi-velocity sewer cleaning machine and an internal television inspection system through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Agreement at a cost of \$99,526 for the hi-velocity sewer cleaning machine and \$199,802 for the television inspection system - Not to exceed \$299,328 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1616

Item 34: Ratification of an emergency purchase for repairs to a damaged aerial ladder on a 1989 LTI 75' aerial ladder truck - Special Equipment Services, Inc. - \$18,007 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1617

Item 35: Authorize payment of a judgment for Gail Dickenson in a lawsuit, styled City of Dallas v. Gail Dickenson, in her official capacity, and Randal Hawthorne, Cause No. 96-03729-E – Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1618

Item 36: Authorize settlement of a lawsuit, styled James Kevin Connell v. City of Dallas, Cause No. 97-08890-J - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1619

Item 37: Authorize the creation of two bond underwriting syndicates and the designation of co-senior managers for future negotiated bond financings - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1620

Item 38: An ordinance awarding a franchise for 10 years to CoServe, L. L. C., dba CoServe Communications, to provide local exchange telephone services in competition with GTE and Southwestern Bell - Estimated Revenue: \$13,573,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23878.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1621

Item 39: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1622

Item 40: Authorize the City's participation with the Steering Committee of Texas Utilities Electric Service Area Cities in a hearing before the Public Utilities Commission of Texas concerning a T.U. Electric request for fuel cost reconciliation and authorize an increase in the appropriations for City Controller's Office to provide for the City's portion of funding for the Steering Committee's expenses - Not to exceed \$103,015 - Financing: Special Rate Case Reimbursement Reserve Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1623

Item 41: Authorize a two year agreement with the Texas Department of Transportation to provide reimbursement to the City of Dallas for the incremental cost incurred in the acquisition of alternative fueled vehicles in an amount not to exceed \$755,996 - Financing: Texas Department of Transportation Alternative Fuels Program Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1624

Item 42: **TIF District Annual Reports for FY 1997-98**

- \* A resolution accepting the FY 1997-1998 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1625

Item 43: **TIF District Annual Reports for FY 1997-98**

- \* A resolution accepting the FY 1997-1998 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) submitted by the Cityplace TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, as well as the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1626

Item 44: **TIF District Annual Reports for FY 1997-98**

- \* A resolution accepting the FY 1997-1998 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1627

Item 45: **TIF District Annual Reports for FY 1997-98**

- \* A resolution accepting the FY 1997-1998 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1628

Item 46: **TIF District Annual Reports for FY 1997-98**

- \* A resolution accepting the FY 1997-1998 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, as well as to the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1629

Item 47: **TIF District Annual Reports for FY 1997-98**

- \* A resolution accepting the FY 1997-1998 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, as well as the Office of the State Attorney General, as required by state statute - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1630

Item 48: Authorize exercise of the final twelve month renewal option to the contract with SSP Consulting, L.C., to provide Surety Support Program services for the period June 1, 1999 through May 31, 2000 - Not to exceed \$273,353 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1631

Item 49: Authorize adoption of the West Dallas Comprehensive Land Use Study as a guide in the implementation of future development in the area generally bounded by the Trinity River Greenbelt to the east and north, Interstate-30 to the south, and the Dallas City limits to the west - Financing: No cost consideration to the City

The city secretary announced that Councilmember Mallory Caraway had deferred consideration of consent agenda item 49 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

May 12, 1999

99-1632

Item 50: Authorize an amendment to the Contract for Loan Guarantee Assistance dated August 2, 1995, amended November 19, 1997, between the City of Dallas and the Secretary of Housing and Urban Development regarding the \$25,000,000 Section 108 Program Notes to provide a three year extension from June 30, 1999, to June 30, 2002, for expenditure of Section 108 Intown Housing Funds - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1633

Item 51: Authorize application for a continuation law enforcement related grant entitled Commercial Auto Theft Interdiction Squad/7 grant for a program which aids in solving crimes from the Automobile Theft Prevention Authority for the period September 1, 1999 through August 31, 2000 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1634

Item 52: **Recreational Facilities at Ray Roberts Lake**

- \* Authorize a Supplemental Agreement to the Department of the Army Lease for Public Park and Recreation Purposes, Ray Roberts Lake, Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1635

Item 53: **Recreational Facilities at Ray Roberts Lake**

- \* Authorize Supplemental Agreement to the Contract with the Texas Parks and Wildlife Department and the City of Denton, Texas for recreational facilities associated with Ray Roberts Lake - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1636

Item 54: MISCELLANEOUS HEARING

A public hearing to receive citizen comments in preparation of the FY 1999-2000 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the FY 1999-2000 Operating, Capital, Grant and Trust budgets:

- Lee Simpson, 7199 Green Tree Ln., representing Municipal Library Board
- Joe Martin, 3105 Gladiolus Ln.
- Molly Van Ort, 5422 W. University Blvd., representing Health and Human Services Coalition
- Tim Simmons, 2929 Carlisle St., representing Mental Health Association of Greater Dallas
- Julia Easley, 1629 Enchanted Ln., representing Coalition for North Texas Children
- Campbell Read, 5839 Monticello Ave.
- Frank Bodzin, 4816 Myerwood Ln., representing Dallas Tax Payer League Inc.
- Anna Albers, 201 N. Edgefield Ave., representing Citizens For A Safe Environment
- Graciela Aleman, 2219 Alabama Ave., representing Hispanic Association of Real Estate Professionals
- Elizabeth Blessing, 3860 West Bay Cir., representing East Dallas Community Organization
- Elsie Risby, 2900 Dilido Rd.
- Syl Benenson, 4181 Mendenhall Dr., representing Greater Dallas Immunization Coalition
- Charles Jefferson, 350 Halo, Duncanville, representing Healthy Start
- Marvin Crenshaw, 5134 S. Malcolm X Blvd.
- Charles Craig, 703 Combine Rd., Seagoville, representing A.C. Craig Resource Center

Deputy Mayor Pro Tem Salazar moved to close the public hearing.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1637

Item 55: MISCELLANEOUS HEARING

A public hearing to receive citizen comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by TCI Cablevision of Dallas, Inc. - Financing: No cost consideration to the City.

The following individual addressed the city council regarding TCI Cablevision of Dallas, Inc.

-- Dovie Jaffe, 5130 Southbrook Dr.

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

Motion seconded by Councilmember Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1638

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 56-58 was presented.

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

Agenda item 58 was removed from the consent zoning docket, to be called as an individual hearing.

Agenda item 56: Zoning Case Z989-161/10788-NW(RB)

Agenda item 57: Zoning Case Z989-172/9098-NW(MB)

~~Agenda item 58: Zoning Case Z978-275/10615-NW(PN)~~ [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 Loza moved to close the public hearing, accept the recommendation of the city plan commission in each consent zoning docket case and pass all ordinances and approve all resolutions presented as part of the consent zoning docket.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1639

Item 56: Zoning Case Z989-161/10788-NW(RB)

Zoning Case Z989-161/10788-NW(RB), an application for and an ordinance granting a Planned Development District for certain Institutional and Community Service Uses, Lodging Uses, Office Uses and Residential Uses on property presently zoned an IM Industrial Manufacturing District on the northeast side of Forest Park Road, northwest of Stutz Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23879.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1640

Item 57: Zoning Case Z989-172/9098-NW(MB)

Zoning Case Z989-172/9098-NW(MB), an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property presently zoned an MU-3 Mixed Use District on the northwest side of Motor Street, southwest of Harry Hines Boulevard.

(The city plan commission recommended approval for a permanent time period, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23880.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1641

Item 58: Zoning Case Z978-275/10615-NW(PN)

The consent zoning docket, consisting of agenda items 56-58, was presented.

Ray Couch, assistant director of planning, reminded the city council that in accordance with subparagraphs (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of planning.

Mayor Kirk stated that consent zoning docket item 58 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z978-275/10615-NW(PN), an application for and an ordinance granting a Planned Development District for IM Industrial Manufacturing District Uses, a Metal Salvage Facility and an Outside Salvage or Reclamation Use on property presently zoned an IM Industrial Manufacturing District and an IR Industrial Research District at the southeast corner of West Commerce Street and Vilbig Road.

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

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 changes:

“Subject to a revised site plan and conditions and an ordinance be brought back to the council, which require that a minimum 19,500 square foot building, with a maximum height of 45 feet, be built along the entire southern property line, and this building will have a minimum height of 35 feet at the southern property line.”

Motion seconded by Councilmember Loza.

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

Voting Yes:	[13]	Kirk, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	
Absent when vote taken:	[2]	Poss, Mayes

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1642

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 and an ordinance granting 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. This application was considered by the City Council at a public hearing on April 14, 1999, and was taken under advisement until May 12, 1999, with the public hearing open.)

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

Councilmember Finkelman moved to close the public hearing, and approve the application, with the following changes.

“Application for and an ordinance granting a Planned Development District for MF-1(A) and MF-1(SAH) Multifamily District Uses on the east side of Noel Road, north of Spring Valley Road.”

and to pass the ordinance with those changes.

Motion seconded by Councilmember Mallory Caraway.

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

Voting Yes:	[13]	Kirk, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	
Absent when vote taken:	[2]	Poss, Mayes

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23881.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

May 13, 1999 9:35 am  
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

99-1643

BENEFIT ASSESSMENT HEARING

**Arizona Avenue from dead-end south of Montana Avenue to Woodin Boulevard**

- Item 60: \* Benefit assessment hearing for street paving, storm drainage and water main improvements for the street listed above
- Item 61: \* Ordinance levying benefit assessments for street paving, storm drainage and water 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, storm drainage and water main improvements for Arizona Avenue from dead-end south of Montana Avenue to Woodin Boulevard.

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

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

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

Assigned ORDINANCE NO. 23882.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1644

Item 62: 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 May 12, 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 Blumer 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 Mayes and unanimously adopted.

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

99-1655 YAC YOUTH COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1645

Item 63: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A)

Councilmember Mallory Caraway moved to appoint Lafayette “Faye” Moses-Wilkins to the DART Board, representing Place 9.

Motion seconded by Mayor Pro Tem Poss.

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

Voting Yes:	[11]	Kirk, Poss, Salazar, Loza, Miller, Hicks, Mallory Caraway, Mayes, Walne, Finkelman, Forsythe Lill
Voting No:	[2]	Duncan, Blumer
Absent when vote taken:	[2]	Lipscomb, Greyson

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1646

Item 64: 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

Councilmember Mayes moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1647

Item 65: Authorize the quitclaim of 4529, 4533, and 4539 Willow acquired by the taxing authorities from the Sheriff's Sale, to the highest bidder, Golden Group One Trust - Revenue: \$23,620

Councilmember Loza moved to defer the item until the May 26, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1648

BRIEFING

Update on Texas Legislative Issues  
(if necessary)

Item 66: 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 these items.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1649

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

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1650

Addendum addition 1: Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Miller, Canfield, Paddock and Stone, P.L.C., for additional legal services necessary in the lawsuit, styled AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Bell Telephone Company City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Belle Telephone Company v. City of Dallas, Cause No. 3-989-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R, and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$400,000 increasing the original contract and supplemental agreement total from \$1,125,000 to \$1,525,000 - Financing: Current Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Mayes.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmembers Miller and Blumer voting "No."

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1651

Addendum addition 2: Approval of "The Dallas Plan Target 2000 Action Agenda" for Dallas Plan implementation in 1999 and 2000 - Financing: No cost consideration to the City

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1652

Addendum addition 3: Authorize an amendment to the contract with the Dallas Convention and Visitors Bureau for the promotion of tourism and convention sales, marketing and promotion to retroactively commence October 1, 1998 - Not to exceed 32.6 percent of the Hotel Occupancy Tax collected by the City - Financing: Convention Center Current Funds

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1637

Addendum addition 4: An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc. for basic service tier and installation and equipment charges, and further calling for implementation of said rates - Financing: No cost consideration to the City

Councilmember Mallory Caraway moved to pass the ordinance.

Motion seconded by Deputy Mayor Pro Tem Salazar.

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

Voting Yes:	[7]	Kirk, Salazar, Loza, Hicks, Mallory Caraway, Walne, Forsythe Lill
Voting No:	[6]	Miller, Duncan, Lipscomb, Finkelman, Greyson, Blumer
Absent when vote taken:	[2]	Poss, Mayes

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23883.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1653

Addendum addition 5: 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 Mallory Caraway moved to appoint Judge Charles Rose to the Ethics Review Task Force Board to fill the vacancy of Dwaine Caraway.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1654

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).*

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 12, 1999

99-1656

Non-Agenda Item: 51-A Amendment

Councilmember Duncan moved that the city plan commission and the ZOAC committees recommended amendment of Chapter 51-A minor site plan be placed on the May 19, 1999 briefing meeting and the May 26, 1999 voting agenda meeting of the city council.

Mayor Kirk stated that the motion was out of order and according to City Council Rules of Procedure 7.4, Rules of Order. The most recent edition of Roberts Rules of Order Revised shall govern the proceedings of the city council in all cases, unless they are in conflict with these rules. Also, Mayor Kirk stated that according to City Council Rules of Procedure 6.2, Presentations by Members of Council. The mayor shall include an agenda item requested by five city council members or by a majority of a city council committee to be brought before the city council. The item must be placed on the first voting agenda scheduled at least 30 calendar days after receipt of the request, unless the request is withdrawn by any of the five city council members or by a majority of the city council committee, whichever applies.

In accordance to the City Council Rules of Procedures 7.4 and 6.2, Mayor Kirk did not accept Councilmember Duncan's motion.

Councilmember Duncan moved to appeal the decision of the chair.

Mayor Kirk called the vote on Councilmember Duncan's motion to appeal the decision of the chair:

Voting Yes:	[9]	Kirk, Salazar, Hicks, Mallory Caraway, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[4]	Loza, Miller, Duncan, Blumer
Absent when vote taken:	[2]	Poss, Mayes

Mayor Kirk declared the motion to sustain the decision of the chair granted.

MINUTES OF THE DALLAS CITY COUNCIL  
WEDNESDAY, MAY 12, 1999

EXHIBIT C