

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 9, 1999

99-1830

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway,
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [0]

The meeting was called to order at 9:24 a.m.

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

The invocation was given by Bishop Ray Campbell, pastor, Ideal Penecostal 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 1:54 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, JUNE 9, 1999

EXHIBIT A

June 10, 1999 9:40 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JUNE 9, 1999

EXHIBIT B

June 10, 1999 9:40 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1831

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: Walter Ender, 5341 Mercedes Ave.
SUBJECT: Trinity River

SPEAKER: Robert Pietre, 2310 Bonnie View Rd.
SUBJECT: Skyline Ranch and Pietre Vision

SPEAKER: Penny Pietre, 2310 Bonnie View Rd.
SUBJECT: Skyline Ranch and Pietre Vision

SPEAKER: Enid Breakstone, 1753 Mariposa Dr.
SUBJECT: Budget

CANCELED

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

OPEN MICROPHONE - END OF MEETING:

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

SPEAKER: Arrie Kegler, 2640 Alameda Dr.
SUBJECT: Medical breakthrough/Pain Treatment

SPEAKER: Jimmy Lee, P.O. Box 4994
REPRESENTING: Relief in the Community
SUBJECT: Tarzan posters/URSB

NO SHOW

SPEAKER: Leonard Cain, 10025 Shore View Rd. **NO SHOW**
SUBJECT: Gun control

SPEAKER: Charles Craig, 703 Combine Rd. **NO SHOW**
REPRESENTING: A.C. Craig Resource Center
SUBJECT: Non-profit organizations

SPEAKER: Marvin Crenshaw, 7134 Malcolm X Blvd. **NO SHOW**
SUBJECT: History

SPEAKER: Elsie Risby, 2900 Dilido Rd.
SUBJECT: Several agenda items

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1832

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of May 26, 1999, were presented for approval.

Councilmember Loza moved to approve the minutes.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1833

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-38, was presented for consideration.

Councilmember Forsythe Lill requested that consent agenda items 4, 37 and 38 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda item would be considered as individuals item later in the meeting, there being no objection voiced to Councilmember's Forsythe Lill's request.

Councilmember Finkelman moved to approve all items on the consent agenda with the exception of agenda items 4, 37 and 38 which would be considered later in the meeting.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1834

Item 2: Authorize a contract for electrical work at the Women's Museum: An Institute for the Future at Fair Park - Chickasaw Electrical Corporation, lowest responsible bidder of four - \$796,300 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1835

Item 3: Authorize a contract for the fabrication and installation of new boilers at a temporary location at the Central Plant to provide heat during upgrade and replacement of the heating, ventilation and air conditioning and electrical systems at Dallas Love Field Main Terminal - Trinity Contractors, Inc., lowest responsible bidder of five - \$547,528 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1836

Item 4: Authorize a contract for Asphaltic Concrete Street Restoration on various unimproved streets - JRJ Paving, Inc. - lowest responsible bidder of three - \$1,054,770 - Financing: Current Funds (\$1,023,240), Water Utilities Capital Construction Funds (\$31,530)

Councilmember Forsythe Lill requested that consent agenda item 4 be considered as an individual item. Mayor Kirk stated that consent agenda item 4 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting agenda item 4 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1837

Item 5: Authorize a contract for Bachman sludge lagoon 2 cleaning and Southeast Area Service Center roof replacement - Eagle Construction and Environmental Services, Inc., lowest responsible bidder of seven - \$2,048,041 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1838

Item 6: Authorize a Supplemental Agreement to the Master Interlocal Agreement between the City of Dallas and Dallas County for the County's share of the cost associated with paving and drainage improvements on Jefferson Boulevard from 7th Street to Colorado Boulevard -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1839

Item 7: **Alabama Avenue from Hobson Avenue to Elmore Avenue**

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1840

Item 8: **Alabama Avenue from Hobson Avenue to Elmore Avenue**

- * 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

June 9, 1999

99-1841

Item 9: Authorize settlement in lieu of proceeding further in condemnation, from Holigan Homes Texas, Ltd., of a total of approximately 79,131 square feet of unimproved land for park purposes located near the intersection of Churchill Way and Hillcrest Road - \$990,000 - Financing: 1995 Bond Funds (\$615,000), 1998 Bond Funds (\$250,000) and Park Capital Gifts and Donations Funds (\$125,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1842

Item 10: An ordinance abandoning a portion of a drainage easement to Fire Protection and Mechanical Services, L.C., the abutting owner, containing approximately 8,556 square feet of land, located near the intersection of California Crossing Road and Allred Street, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23900.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1843

Item 11: An ordinance abandoning portions of two sanitary sewer easements to TCR White Rock Creek Limited Partnership, the abutting owner, containing approximately 9,201 square feet of land, located near the intersection of Garland Road and Knob Oak Drive, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23901.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1844

Item 12: An ordinance granting a private license to 2220 Canton Lofts Homeowners Association, for the use of approximately 651 square feet of land, to use and maintain containers with planted trees, roof drain downspouts, balconies and an entry canopy on public property located near the intersection of Canton Street and Central Expressway - Revenue: \$379 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23902.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1845

Item 13: An ordinance granting a revocable license to LPC Park Limited Partnership for the use of approximately 20,443 square feet of land, to install and maintain landscaping in the median of Caruth Haven Lane between Northwest Highway and North Central Expressway - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23903.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1846

Item 14: Authorize the quitclaim of 23 properties acquired by the taxing authorities from the Sheriff's Sale, to the highest bidders - Revenue: \$103,907

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1847

Item 15: Authorize the Cities of Dallas and Fort Worth to transfer their interest in the RAILTRAN Corridor, including accumulated revenue in the custody of the two Cities, to the Dallas Area Rapid Transit Authority and the Fort Worth Transportation Authority - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1848

Item 16: Authorize a lease agreement with the United States of America, acting through the Department of the Air Force for approximately thirteen non-aviation buildings and twenty-one acres of land at the former Naval Air Station, Dallas - Revenue: \$1,800 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1849

Item 17: Authorize the purchase of mobile data terminals, base stations, system design and implementation through an existing Interlocal Agreement with Houston-Galveston Area Council of Governments (H-GAC) - Not to exceed \$9,150,000 - Financing: 1997 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1850

Item 18: Authorize a sixty month contract for billing and collection for emergency ambulance fees with the lowest responsible bidder of three - Southwest General Services, Inc. - Estimated Revenue: \$7,053,255 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1851

Item 19: Authorize a thirty-six month price agreement for carpet cleaning at Love Field with the lowest responsible bidder of three - Clean Team, Inc. dba MilliCare Environmental Services - Not to exceed \$157,205 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1852

Item 20: Authorize a twelve month price agreement with two twelve month renewal options for a world-wide-web based full text Dallas Morning News database with the lowest responsible bidder of three - The Dallas Morning News - Not to exceed \$180,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1853

Item 21: Authorize a twenty-four month price agreement for traffic signage supplies and sign posts with the lowest responsible bidders of six - 3M Company, Nippon Carbide Industries (USA), Inc., Centerline Supply, Inc., Unistrut Texas, Inc. - Not to exceed \$265,388 - Financing: Water Utilities Current Funds (\$11,357), Current Funds (\$254,031)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1854

Item 22: Authorize a twenty-four month price agreement for barricade flasher warning lights with the lowest responsible bidder of five - Texas Mill Metroplex Supply, Inc. - Not to exceed \$238,140 - Financing: Water Utilities Current Funds (\$153,090), Current Funds (\$85,050)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1855

Item 23: Authorize a twenty-four month price agreement for barricades with the lowest responsible bidder of two - Crown Metal Corp. - Not to exceed \$675,330 - Financing: Current Funds (\$39,380), Water Utilities Current Funds (\$635,950)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1856

Item 24: Authorize a thirty-six month price agreement for sewer rods with the lowest responsible bidder of five - Sewer Rodding Equipment Co. - Not to exceed \$54,670 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1857

Item 25: Authorize the purchase of easement machines with blades and buckets with the lowest responsible bidder of two - Clarklift of Ft. Worth, Inc. - Not to exceed \$64,182 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1858

Item 26: Authorize the purchase of synthetic material for oxygen transfer in wastewater with the lowest responsible bidder of four - Water and Waste Management Associates, Inc. - Not to exceed \$57,642 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1859

Item 27: Authorize a twenty-four month price agreement for traffic cones with the lowest responsible bidder of five - Work Area Protection Corp. - Not to exceed \$67,283 - Financing: Water Utilities Current Funds (\$61,538), Current Funds (\$5,745)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1860

Item 28: Authorize ratification of emergency purchase for the replacement of the two hot water generators at City Hall - Anthony Boiler Company, Inc., lowest responsible bidder of two - \$74,724 - Financing: Capital Construction Funds (\$26,599), 1995 Bond Funds (\$48,125)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1861

Item 29: Authorize settlement of a lawsuit, styled Juan Martinez, Alicia Martinez, individually and as next friends of Juan Antonio Martinez, Isela Martinez and Saray Martinez v. City of Dallas, Cause No. DV-98-06781-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1862

Item 30: Authorize a public hearing to be held on June 23, 1999 to receive citizen comments on the Preliminary FY 1999-2000 Consolidated Plan Budget for U. S. Department of Housing and Urban Development Grant Funds, the Preliminary FY 1998-99 Community Development Block Grant Reprogramming Budget #2, and the Preliminary FY 1998-99 Housing Opportunities for Persons with AIDS Reprogramming Budget #1 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1863

Item 31: Authorize an Interlocal Agreement and Memorandum of Understanding with the State of Texas, Department of Information Resources, for the purchase of computer software (no cost to the city) and authorize the purchase of File-AID/MVS (Multiple Virtual Storage) and File-AID/Data Solutions Software with a twelve month warranty - Not to exceed \$87,576 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1864

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1865

Item 33: An ordinance awarding a franchise for 10 years to Metricom, Inc., to build and operate a radio-based, wireless internet and data communications system - Estimated Revenue: \$1,835,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23904.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1866

Item 34: Authorize an increase in the contract with AM-KO Building Maintenance Co., Inc. to provide janitorial service at the Municipal/Police and Courts Complex - \$47,700, from \$683,744 to \$731,444 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1867

Item 35: Authorize Supplemental Agreement No. 1 exercising the first of two, one-year renewal terms with each of the four Business Assistance Center (BAC) Contractors listed below thereby extending and funding each of the contracts for an additional twelve month period. Amend the BAC contract with the Greater Dallas Hispanic Chamber of Commerce to include both BAC Service Areas #1 and #4. The contracts are: (BAC #1 and #4) - Greater Dallas Hispanic Chamber of Commerce (\$100,000); (BAC #2) - Inncity Community Development Corporation (\$50,000); (BAC #3) - West Dallas Neighborhood Community Development Corporation (\$50,000); and (BAC #5) - MBA Consultants, Inc. (\$50,000) - \$250,000 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1868

Item 36: Authorize an amendment to the contract with the U. S. Department of Health and Human Services, Public Health Service, for the development of a Metropolitan Medical Strike Team in the City of Dallas for the period June 30, 1999 to June 30, 2000 and execution of the agreement to receive an additional \$200,000 from the Public Health Service to expand the scope of work to include the development of a Biological Terrorism Response Plan and create a Metropolitan Medical Response System for the city - \$200,000 - Financing: Public Health Service 1999 Omnibus Appropriation

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1869

Item 37: An ordinance authorizing an amendment to the Subdistrict D portion of Planned Development District No. 305 for Mixed Uses on the southeast side of McKinney Avenue, northeast of Lemmon Avenue East (Z989-169/8018-C(SS) - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 37 be considered as an individual item. Mayor Kirk stated that consent agenda item 37 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Forsythe Lill moved to move the item to the end of the meeting.

Motion seconded by Councilmember Loza and unanimously adopted.

Later in the meeting agenda item 37 was brought up for consideration.

Councilmember Forsythe Lill moved to pass the ordinance with the following change:

“Subject to revising the landscape trigger for Subdistrict D to require that landscaping be installed before the final inspection of the last structure on the lot, or within six months of the approval of final inspection if the property owner provides the building official with documented assurance as defined in Article X.”

and pass the ordinance with that change.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23905.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1870

Item 38: An ordinance authorizing an amendment to the conditions, deletion of the existing development plan, deletion of the existing landscape plan and approval of a conceptual plan for Planned Development District No. 375 for Retail, Office and Residential Uses on the west side of Central Expressway, north of Lemmon Avenue (Z989-168/8018-C(SS) - Financing: No cost consideration to the City

Councilmember Forsythe Lill requested that consent agenda item 38 be considered as an individual item. Mayor Kirk stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Forsythe Lill moved to move the item to the end of the meeting.

Motion seconded by Councilmember Loza and unanimously adopted.

Later in the meeting agenda item 38 was brought up for consideration.

Councilmember Forsythe Lill moved to pass the ordinance with the following changes:

- (1) That landscaping be installed before the final inspection of the last structure on the lot, or within six months of the approval of final inspection if the property owner provides the building official with documented assurance as defined in Article X.
- (2) That no certificate of occupancy may be issued on Subdistrict A of Tract I until the building official has approved the final inspection of the structures to contain a minimum of 10,000 square feet of floor area of retail-related uses, and that no certificate of occupancy may be issued on Subdistrict B of Tract I until the building official has approved the final inspection of the structures to contain a minimum of 20,000 square feet of floor area of retail-related uses.
- (3) That for Tract II, minimum front, side and rear yard setbacks are 10 feet.
- (4) That off-street parking for multifamily uses must be provided at a ratio of one space per dwelling unit, and that off-street parking for all uses except multifamily, retail-related, and office-related uses be provided at a ratio of one space per 500 square feet of floor area.

and pass the ordinance with those changes.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23906.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1871

Item 39: MISCELLANEOUS HEARINGS

A public hearing was called to receive citizen comments, and an ordinance readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city-sponsored youth programs in compliance with State law - Financing: No cost consideration to the City

No one addressed the city council regarding the City Youth Program Standards of Care.

Councilmember Thornton Reese moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 23907.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1872

Item 40: MISCELLANEOUS HEARINGS - HELD UNDER ADVISEMENT

A public hearing was called to receive citizen comments, and Council action on the proposed use of a portion of Northaven Park by the Dallas Water Utilities Department for installation of a permanent wastewater relief main - Financing: This action has no cost consideration to the City

(This item was considered by the City Council at a public hearing on April 28, 1999, and was taken under advisement until June 9, 1999, with the public hearing open.)

No one addressed the city council regarding Northaven Park.

Councilmember Finkelman moved to close the public hearing.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1873

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 41-42 was presented.

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

Agenda item 41: Zoning Case Z989-182/10819-C(MB)

Agenda item 42: Zoning Case Z989-185/10837-C(RB)

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 Forsythe Lill 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 Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1874

Item 41: Zoning Case Z989-182/10819-C(MB)

Zoning Case Z989-182/10819-C(MB), an application for and an ordinance granting a P Parking Subdistrict on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Bowser Avenue, northwest of Prescott Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23908.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1875

Item 42: Zoning Case Z989-185/10837-C(RB)

Zoning Case Z989-185/10837-C(RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Travis Street and Elizabeth Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23909.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1876

Item 43: Public Hearing - Zoning Case Z989-167/6078-C(MB)

A public hearing was called on zoning case Z989-167/6078-C(MB), an application for a CA-2 Central Area Subdistrict within Planned Development District No. 193 on property presently zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south side of Continental Avenue, east of Stemmons Freeway.

(The city plan commission recommended denial without prejudice.)

Appearing in opposition to the city plan commission recommendation:

-- Barry Knight, 5400 Renaissance Tower

No one appeared in favor of the city plan commission recommendation

Councilmember Loza moved to postpone consideration of the application until the June 23, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1877

Item 44: Public Hearing -DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

A public hearing was called for consideration of an amendment to the Dallas Development Code amending the Bus or rail transit vehicle maintenance or storage facility use, and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23910.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1878

Item 45: Public Hearing - FLOODPLAIN APPLICATION

A public hearing was called on to receive citizen comments on an application for a fill permit and removal of the floodplain (FP) prefix from 7.5 acres of land currently in the 100-year floodplain of the Elm Fork of the Trinity River which is located at 10940 Spangler Road at the southeast corner of Spangler Road and Walnut Hill Lane in City Block 6508 and is currently zoned Industrial Research (IR) - Fill Permit 99-01 - Financing: No cost consideration to the City.

The following individuals addressed the city council regarding the floodplain application:

- Bert Holmes, 4515 W. Lawther Dr.
- Vaughn Proffitt, 5938 Lamburt Ln., Roanoke, representing Image Concrete

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

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1879

Public Hearing - BENEFIT ASSESSMENT HEARING

Modella Avenue from Dennis Road to Allister Street

- Item 46: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 47: * 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 benefit assessments for street paving, storm drainage, water and wastewater main improvements for Modella Avenue from Dennis Road to Allister Street.

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

Councilmember Mallory moved to postpone consideration of the assessment until the August 11, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1880

Public Hearing - BENEFIT ASSESSMENT HEARING

Mohawk Drive from Empire Central Drive to Lovedale Avenue

- Item 48: * Benefit assessment hearing for street paving, storm drainage, water and wastewater adjustments on the street listed above
- Item 49: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater adjustments on the street listed above
- Item 50: * Authorize a contract for the construction of street paving, storm drainage, water and wastewater adjustments on the street listed above - Jeske Construction Company, lowest responsible bidder of five - \$367,494 - Financing: 1998 Bond Funds (\$343,979), Water Utilities Capital Construction Funds (\$23,515)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater adjustments on Mohawk Drive from Empire Central Drive to Lovedale Avenue.

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

Councilmember Loza moved to close the public hearing, approve the project, pass the ordinance levying the assessments and approve the resolution authorizing the contract.

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

Assigned ORDINANCE NO. 23911.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1881

Item 51: 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 commission.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1882

Item 52: 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

June 9, 1999

99-1883

Item 53: Authorize a moratorium on the acceptance of applications for detached non-premise sign permits citywide; and 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 sign regulations governing detached, non-premise signs citywide - Financing: No cost consideration to the City

Councilmember Mallory Caraway and Walne announced that they had a conflict of interest would abstain from voting or participating in any discussion. Councilmembers Mallory Caraway and Walne left the city council chamber.

The following individuals addressed the city council regarding the moratorium:

- Don Glendenning, 4002 Holland Ave.
- Kirk Williams, 17318 Club Hill Dr., representing Dallas Outdoor Advertising Associates
- Harlan Crow, 4700 Preston Rd., Highland Park
- William Cothrum, 500 S. Ervay St.
- George Reynolds, 3838 Oak Lawn Ave.
- Melissa Walden, 3447 Misty Meadow Ct.
- Norma Self, 2510 Clearview Cir.
- Ann Murphy, 19126 Windmill Ln.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Miller.

Councilmember Hill moved to defer the item until the June 23, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Lipscomb.

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99-1883

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

After discussion, Mayor Kirk called the vote on Councilmember Hill's motion:

Voting Yes:	[3]	Thornton Reese, Hill, Lipscomb
Voting No:	[10]	Kirk, Poss, Salazar, Loza, Miller, Chaney, Finkelman, Greyson, Blumer, Forsythe Lill
Abstain:	[2]	Mallory Caraway, Walne

Mayor Kirk declared the motion lost.

Mayor Kirk then called the vote on Councilmember Greyson's motion:

Mayor Kirk declared the motion adopted on a divided voice vote. (Mallory Caraway, Walne abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1884

BRIEFING

Update on Texas Legislative Issues
(if necessary)

Item 54: 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

June 9, 1999

99-1885

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

June 9, 1999

99-1886

Addendum addition 1: Adoption of the Preliminary FY 1999-2000 Consolidated Plan Budget for U. S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$32,135,177 for the following programs and estimated amounts: Community Development Block Grant (\$21,782,177), HOME Investment Partnerships Program (\$7,168,000), Housing Opportunities for Persons with AIDS (\$2,505,000), Emergency Shelter Grant (\$680,000); Preliminary FY 1998-99 CDBG Reprogramming Budget #2 in the amount of \$731,847; and Preliminary FY 1998-99 HOPWA Reprogramming Budget #1 in the amount of \$704,188 - Financing: U. S. Department of Housing and Urban Development Grant Funds

Mayor Kirk called a recess of the meeting in order that the city council could meet in closed session under Section 551.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the closed session, the city council reconvened in open session.

Deputy Mayor Pro Tem Salazar moved to amend the FY 1999-2000 Consolidated Plan Budget by reducing the First Time Homebuyer Program's budget by \$437,251 and apply it to the Home Repair Program and he withdrew his motion to reduce the Rental Housing Preservation Consolidated Plan Budget by \$750,000.

Motion seconded by Mayor Pro Tem Poss.

Councilmember Miller moved to substitute for Deputy Mayor Pro Tem Salazar's motion a motion to defer the amendment until the June 23, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Blumer.

After discussion, Councilmember Miller withdrew her motion.

Councilmember Lipscomb moved to amend the FY 1999-2000 Consolidated Plan Budget by reducing the Tenant Based Rental Assistance by \$165,000 and apply it to HOPWA.

Motion seconded by Councilmember Forsythe Lill.

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99-1886

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Mayor Pro Tem Poss moved to approve the item as amended by Deputy Mayor Pro Tem Salazar and Councilmember Lipscomb.

Motion seconded by Councilmember Forsythe Lill.

After discussion, Mayor Kirk called the vote on Mayor Pro Tem Poss' motion:

Voting Yes: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1887

Addendum addition 2: **City Center TIF District**

- * Authorize a development agreement with Holtze Magnolia, LLLP, to provide for (1) a 100% development fee rebate in an amount not to exceed \$230,000; (2) the funding and construction of certain public improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$586,300; and (3) the establishment of appropriations - Financing: Public/Private Partnership Funds (development fees in an amount not to exceed \$230,000); \$570,000 to be advanced by a private developer and reimbursed from the City Center TIF District Fund; accrued interest on private funds advanced to be repaid solely from the City Center TIF District Fund; \$16,300 Private Donation

- Addendum addition 3:
- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse Holtze Magnolia, LLLP for funds advanced pursuant to a development agreement between the City and Holtze Magnolia, LLLP, in an amount not to exceed \$570,000 plus interest, for certain public infrastructure improvements located in the City Center TIF District - Financing: \$570,000 to be advanced by Holtze Magnolia, LLLP and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from the City Center TIF District Fund

Councilmember Loza moved to approve the resolution.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1888

Addendum addition 4: **City Center TIF District**

- * Authorize (1) a contract for the construction of street paving, storm drainage improvements and streetscape on Akard Street from Main Street to Commerce Street and Commerce Street from 210 feet east of Akard Street to Akard Street located in Tax Increment Reinvestment Financing Zone Number Five, City of Dallas, Texas (City Center TIF District) with Ed Bell Construction Company, lowest responsible bidder of two in the amount of \$586,300, and (2) assignment of the construction contract to Holtze Magnolia, LLLP for construction administration - \$586,300 - Financing: \$570,000 Private Funds (Advance from Holtze Magnolia, LLLP to the City Center TIF District Fund); \$16,300 Private Donation

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1889

Addendum addition 5: A resolution amending Resolution No. 98-3606, passed by the City Council on December 9, 1998, to extend the authority, power, and duties of the ethics review task force past June 30, 1999 (via Mayor Kirk)

Councilmember Lipscomb moved to approve the resolution.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

June 9, 1999

99-1890

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, JUNE 9, 1999

EXHIBIT C