

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 8, 1999

99-2800

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 9:28 a.m.

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

The invocation was given by Councilmember Don Hill.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 2:59 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, SEPTEMBER 8, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 8, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2801

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: Jimmy Lee, P.O. Box 4994 **NO SHOW**
REPRESENTING: R.I.C.T. Inc.
SUBJECT: This was done to blacks/URSB

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

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

SPEAKER: Ted Horvitz, 11623 Audelia Rd.
SUBJECT: A passion for truth

SPEAKER: James Alexander, 8231 Barbaree Blvd.
SUBJECT: Drainage in the City of Dallas

OPEN MICROPHONE - END OF MEETING:

SPEAKER: David, Hill, 2672 Hwy., Quinlin, Tx
SUBJECT: Teen Curfew

SPEAKER: Leonard Cain, Jr., 10025 Shoreview Rd.
SUBJECT: A quiz heard on all religions

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2802

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of August 25, 1999, were presented for approval.

Mayor Pro Tem Poss moved to approve the minutes, as corrected.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2803

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-46, was presented for consideration.

Councilmember Chaney requested that consent agenda item 4 be removed from the consent agenda to 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 Chaney's request.

Councilmember Hill requested that consent agenda item 41 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Deputy Mayor Pro Tem Salazar requested that consent agenda item 43 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Salazar's request.

Councilmember Loza moved to approve all items on the consent agenda with the exception of agenda items 4, 41 and 43 which would be considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2804

Item 2: Authorize a professional services contract with HNTB Corporation to provide engineering design and construction documents for repairs at the Dallas Love Field Airport parking garage - Not to exceed \$152,732 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2805

Item 3: Authorize a professional services contract with Brockette, Davis, Drake, Inc. to provide engineering services for the replacement or rehabilitation of wastewater mains and replacement of water mains located in an area bounded by I. H. 30, Loop 12, Northwest Highway, and Buckner Boulevard - \$1,150,705 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2806

Item 4: Authorize a contract for the renovation of the Juanita J. Craft Civil Rights House, located at 2618 Warren Avenue - Rapid Action Contracting Emergency Services, Inc., lowest responsible bidder of two - \$105,391 - Financing: Arts Endowment Grant Funds

Councilmember Chaney 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 Chaney's request.

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

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Forsythe Lill.

After discussion, Mayor Kirk called the vote on the 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

September 8, 1999

99-2807

Item 5: Authorize a contract for construction of a shelter and fence at Deerpath Park located in Neighborhood Renaissance Partnership Program Area B - Texas Standard Construction, Inc., lowest responsible bidder of three - \$166,000 - Financing: Neighborhood Renaissance Partnership Section 108 Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2808

Item 6: Authorize a contract for parking and trail improvements at Bachman Lake Park - Riverway Contractors and Management, Inc., lowest responsible bidder of six - \$454,511 - Financing: 1997-98 Community Development Grant Funds (\$293,366), 1995 Bond Funds (\$99,250) and 1998 Bond Funds (\$61,895)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2809

Item 7: Authorize a contract for partial office renovations of the Park and Recreation Department offices at City Hall - Gilbert May, Inc., dba Phillips/May Corporation, lowest responsible bidder of three - \$148,469 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2810

Item 8: Authorize a contract for playground replacement at Garrett and White Rock Lake (Winstead) Parks - Eagleton Construction Inc., lowest responsible bidder of six - \$96,450 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2811

Item 9: Authorize a contract for the replacement of water and wastewater mains in an area bounded by Ledbetter Drive, Buckner Boulevard, Mockingbird Lane, I.H. 30, Westmoreland Road, and Downtown area - Omega Contracting Inc., lowest responsible bidder of seven - \$1,933,665 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2812

Item 10: Authorize a contract for the construction of a Solids Screening and Thickening Facility at the Southside Wastewater Treatment Plant - Cajun Constructors, Inc., lowest responsible bidder of three - \$15,240,500 - Financing: Water Utilities Capital Improvement Funds (\$5,776,638), and Water Utilities Capital Construction Funds (\$9,463,862)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2813

Item 11: Authorize a contract for the construction of water and wastewater mains in an area bounded by I.H. 635, Loop 12 and I.H. 20 - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of six - \$6,183,760 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2814

Item 12: Authorize a benefit assessment hearing to be held on October 27, 1999 for street paving, storm drainage, water and wastewater main improvements on Arizona Avenue from Saner Avenue to Ohio Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2815

Item 13: Authorize a benefit assessment hearing to be held on October 27, 1999 for street paving, storm drainage, water and wastewater adjustments on Street Group 98-426 - Financing:
No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2816

Item 14: **Alley between Martel Avenue & Penrose Avenue from Skillman Street to Clements Street**

- * Authorize alley paving, and wastewater 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

September 8, 1999

99-2817

Item 15: **Alley between Martel Avenue & Penrose Avenue from Skillman Street to Clements Street**

- * 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

September 8, 1999

99-2818

Item 16: **J.J. Lemmon Road from Newton Creek to IH 635**

- * Authorize street paving, storm drainage and wastewater 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

September 8, 1999

99-2819

Item 17: **J.J. Lemmon Road from Newton Creek to IH 635**

- * 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

September 8, 1999

99-2820

Item 18: Authorize acquisition of approximately 35,417 square feet of unimproved land from Baylor Health Care System, located at the intersection of Gaston Avenue and Malcolm X Boulevard, for the Fair Park Link Alignment Project - \$354,170 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2821

Item 19: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estates of Warren M. Davis and Arlee Davis, of approximately 3,750 square feet of unimproved land, located near the intersection of Baylor and Dawson Streets, for parking at the Central Service Center - \$18,750 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2822

Item 20: An ordinance granting a revocable license to Oliver Rubber Company for the use of approximately 1,209 square feet of land, to install and maintain a waterline and two electric utility conduits in Hawes Avenue right-of-way located near its intersection with Forest Park Road - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24005.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2823

Item 21: An ordinance granting renewal of a private license to HPI/GSA-2B, L.P., for the use of approximately 3,766 square feet of land, to use and maintain the existing subsurface mechanical and electrical conduit tunnel, two overhead passageways, an elevator, a stairway, six light shafts, subsurface areas and a sidewalk lift in portions of Wood, Akard and Young Streets and portions of an alley located near the intersection of Akard Street and Wood Street - Revenue: \$3,574 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24006.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2824

Item 22: An ordinance granting a private license to Southern Foods Group, L.P. for the use of approximately 6,451 square feet of land, to install and maintain landscaping in a portion of Lancaster Avenue right-of-way located near its intersection with Colorado Boulevard
- Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24007.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2825

Item 23: An ordinance abandoning a waterline easement to Randy R. Garrett and Carolyn B. Garrett, the abutting owners, containing approximately 8,470 square feet of land, located near the intersection of Strait Lane and Manson Court, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24008.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2826

Item 24: An ordinance abandoning a drainage easement to Roman Realty, Ltd., the abutting owner, containing approximately 14,574 square feet of land, located near the intersection of Mockingbird Lane and John W. Carpenter Freeway, providing for the dedication of approximately 10,459 square feet of land needed for a new drainage easement, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24009.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2827

Item 25: Authorize the rejection of the only proposal received for the replacement of the computerized parking and taxi revenue control system at Dallas Love Field Airport and authorize readvertisement of the project - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2828

Item 26: Authorize amendments to the original software license agreements for mainframe Central Processing Unit one-time upgrade plus maintenance and support adjustment fee and a sixty month extension for maintenance and support subject to annual appropriations with Computer Associates International, Inc. - sole source Not to exceed \$1,276,806 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2829

Item 27: Authorize a twenty-four month price agreement for glass replacement with the lowest responsible bidder of three - Texas Glass - Not to exceed \$133,872 - Financing: Current Funds (\$102,998), Aviation Current Funds (\$13,291), Water Utilities Current Funds (\$17,583)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2830

Item 28: Authorize settlement of a lawsuit, styled Karen Gooding and Ron Gooding, Individually and as Next Friends of Caroline Gooding and Charlotte Gooding, Minors v. City of Dallas, Cause No. DV99-03982-E - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2831

Item 29: Authorize settlement of a lawsuit, styled Michael N. Phillips and wife, Johnnie F. Phillips v. City of Dallas, and Darrell C. Fuller, Cause No. DV99-02054-L - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2832

Item 30: Authorize settlement of a lawsuit, styled Wes Toolco, Inc. v. Carl N. Breidenich, Steve Nelson, Dan Tripple, Joseph Cannibano, Roland Sanchez, Jack Bragg and Floyd Simpson, Cause No. 92-8516-G - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2833

Item 31: Authorize settlement of a lawsuit, styled Lindy Jones, Kathy Jones, Susan Findley and Dwight Findley v. City of Dallas, Cause No. 96-01843-F - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2834

Item 32: Authorize settlement of a claim filed by Ferris Container Services, Claim No. 95-101006840-001 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2835

Item 33: Authorize acceptance of the resignation of James C. Monroe, Jr. as City Treasurer and appoint John Wright as the successor City Treasurer for the remainder of the term of the City Treasurer's contract which began July 1, 1997 and ends June 30, 2001 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2836

Item 34: Authorize a replacement housing payment for Walker Target Neighborhood homeowner, Freddie J. Hawkins, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board in an amount not to exceed \$40,000 - Financing: 1995-96 Community Development Grant Funds (\$17,500) and 1996-97 Community Development Grant Funds (\$22,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2837

Item 35: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2838

Item 36: Authorize (1) a public hearing to be held on September 22, 1999 to receive citizen comments concerning the annual assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District ("District") for the purpose of providing supplemental public services and improvements in the District, to be funded by assessments on real property and real property improvements located in the District; and (2) consideration at the close of the public hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1999-2000; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2839

Item 37: **1999-2000 Public Improvement District Service Plans**

- * Authorize (1) approval of the Downtown Improvement District Service Plan for 1999-2000; (2) a public hearing for September 22, 1999 to receive citizen comments concerning the annual assessment rate for the Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Downtown Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1999-2000; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2840

Item 38: **1999-2000 Public Improvement District Service Plans**

- * Authorize (1) approval of the Uptown Public Improvement District's Service Plan for 1999-2000; (2) a public hearing to be held September 22, 1999 to receive citizen comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the public hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Uptown Public Improvement District; approving, adopting and filing with the City Secretary the assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1999-2000; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2841

Item 39: **1999-2000 Public Improvement District Service Plans**

- * Authorize (1) approval the Prestonwood Public Improvement District Service Plan for 1999-2000; (2) a public hearing for September 22, 1999 to receive citizen comments concerning the annual assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District (“District”) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1999-2000; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2842

Item 40: **1999-2000 Public Improvement District Service Plans**

- * Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 1999-2000; (2) a public hearing for September 22, 1999 to receive citizen comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District (“District”) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) consideration at the close of the hearing of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during FY 1999-2000; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2843

Item 41: Authorize the purchase of a three year policy for all risk property, boiler and machinery and money and securities from Gerling American Insurance Company, Kemper Insurance and Reliance Insurance Company through Arthur J. Gallagher & Co., most advantageous proposer of four - Not to exceed \$1,915,000 - Financing: Current Funds

Councilmember Hill requested that consent agenda item 41 be considered as an individual item. Mayor Kirk stated that consent agenda item 41 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Later in the meeting agenda item 41 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[8]	Kirk, Poss, Miller, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[6]	Salazar, Loza, Thornton Reese, Hill, Chaney, Lipscomb
Absent when vote taken:	[1]	Mallory Caraway

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2844

Item 42: Authorize contracts for Health Maintenance Organizations (HMOs) with Texas Health Choice, L.C. for a Staff Model HMO and Aetna U.S. Healthcare for an Individual Practice Association (IPA) Model HMO - City cost not to exceed \$129 for employee only, \$220 for employee plus one dependent and \$337 for employee plus two or more dependents - Financing: Employee Benefits Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2845

Item 43: Authorize amendments to the Neighborhood Renaissance Partnership Program Section 108 Loan Guarantee Application to HUD to revise certain project descriptions to more accurately reflect program activity, to amend certain boundaries for Neighborhood Renaissance Partnership Area A, and to reallocate funding in the Neighborhood Renaissance Partnership Areas A, C, and E - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Salazar requested that consent agenda item 43 be considered as an individual item. Mayor Kirk stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Salazar's request.

The following individuals addressed the city council regarding the Neighborhood Renaissance Partnership Program Section 108 Loan Guarantee Application:

- Joe Martin, 3105 Gladiolus Ln.
- David Marquis, 3110 W. Kiest Blvd., representing Boy Scouts Property Committee
- Janet Shepard, 504 S. Ravinia Ave., representing CPAC Area A
- Kenneth Ryon, 3331 W. Clarendon Dr.
- Charolette Barbosa, 1001 S. Montreal Ave., representing CPAC Area A
- Beth Farrow, 314 Larry Dr., Duncanville, representing Jefferson Corridor Merchant's Association
- David Spence, 2423 Marvin Ave.
- Jennifer McNabb, 303 N. Clinton Ave.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Miller.

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

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2846

Item 44: Authorize renewal of a personal services contract with Barbara T. McCall Associates, Inc. for federal legislative services for the City of Dallas from October 1, 1999 through September 30, 2000 - Not to exceed \$130,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2847

Item 45: Authorize renewal of a personal services contract with Hilgers & Watkins, P.C., for state legislative services to be provided by Mr. Randy Cain from October 1, 1999 through September 30, 2000 - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2848

Item 46: Authorize a public hearing to be held on September 22, 1999 to receive citizen comments on the proposed amendments to Chapter 19 of the Dallas City Code to detail the substances that are not allowed to enter the storm sewer system and the penalties for causing such discharges - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2849

Item 47: MISCELLANEOUS HEARINGS

A public hearing was called to receive citizen comments on the 1999 Omnibus Appropriations Local Law Enforcement Block Grant – Financing: No cost consideration to the City

The following individual addressed the city council regarding the 1999 Omnibus Appropriations Local Law Enforcement Block Grant:

-- Elsie Risby, 2900 Dilido Rd.

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

Motion seconded Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2850

PUBLIC HEARING - CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 48-53 was presented.

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

- Agenda item 48: Zoning Case Z989-231/1254-SW(FD)
- Agenda item 49: Zoning Case Z989-243/9510-SE(SS)
- Agenda item 50: Zoning Case Z989-245/10906-NE(SS)
- Agenda item 51: Zoning Case Z989-248/302-C(SS)
- Agenda item 52: Zoning Case Z989-250/10910-C(MB)
- Agenda item 53: Zoning Case Z989-256/8546-SE(MB)

In all zoning cases on the consent zoning docket, the city plan commission recommended approval of the proposed changes in zoning.

The following individuals appeared to comment on cases on the consent zoning docket:

- Helen Simon, 4108 Wadsworth Dr., regarding Zoning Case Z989-243/9510-SE(SS)
- Kirk Williams, 5400 Renaissance Tower, regarding Zoning Case Z989-256/8546-SE(MB)

Councilmember Chaney 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, with the following changes to agenda item 53:

“Except that the front yard to be as shown on the revised development/landscape plan instead of being 15 feet. Therefore, approval of the revised development/landscape plan and that condition (e)(1) be revised to read as follows: “Front Yard. Minimum front yard must be as shown on the attached development/landscape plan.”

Motion seconded by Councilmember Thornton Reese.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

September 9, 1999 9:15 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

Voting Yes: [12] Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory
Caraway, Chaney, Lipscomb, Walne, Finkelman, Blumer

Voting No: [0]

Absent when vote taken: [3] Kirk, Greyson, Forsythe Lill

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2851

Item 48: Zoning Case Z989-231/1254-SW(FD)

Zoning Case Z989-231/1254-SW(FD), a City Plan Commission authorized hearing to determine the proper zoning on property within Subarea 5 of Planned Development District No. 316, the Jefferson Area Special Purpose District, with consideration being given to terminating Specific Use Permit No. 454 for a Private School and kindergarten on the south side of Twelfth Street, east of Bishop Avenue, and an ordinance providing for the termination of Specific Use Permit No. 454.

(The city plan commission recommended approval of the termination of Specific Use Permit No. 454.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24010.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2852

Item 49: Zoning Case Z989-243/9510-SE(SS)

Zoning Case Z989-243/9510-SE(SS), an application for and an ordinance granting the renewal of Specific Use Permit No. 1336 for an Adult Day Care Facility on property presently zoned an R-10(A) Single Family District on the northeast side of Wadsworth Drive, northwest of Ledbetter Drive.

(The city plan commission recommended approval for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24011.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2853

Item 50: Zoning Case Z989-245/10906-NE(SS)

Zoning Case Z989-245/10906-NE(SS), an application for and an ordinance granting an NO(A) Neighborhood Office District on property presently zoned an MF-1(A) Multifamily District on the south side of Glen Lakes Drive, west of Manderville Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24012.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2854

Item 51: Zoning Case Z989-248/302-C(SS)

Zoning Case Z989-248/302-C(SS), an application for and an ordinance granting an NS(A) Neighborhood Service District on property presently zoned an LO-1 Limited Office District on the southwest side of Garrett Avenue, northwest of Ross Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24013.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2855

Item 52: Zoning Case Z989-250/10910-C(MB)

Zoning Case Z989-250/10910-C(MB), an application for and an ordinance granting an amendment to Planned Development District No. 317, the Cedars Area Special Purpose District, to create a new Area H-1 to permit single family dwellings within Area H on property at the south corner of South Central Expressway and Richardson Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24014.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2856

Item 53: Zoning Case Z989-256/8546-SE(MB)

Zoning Case Z989-256/8546-SE(MB), an application for and an ordinance granting a Planned Development District for a Community Service Center on property presently zoned a CR Community Retail District and an R-5(A) Single Family District on the east side of Bexar Street between Macon Street and Brigham Lane.

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

Councilmember Chaney moved to close the public hearing, accept the recommendation of the city plan commission, and pass the ordinance with the following change:

“Except that the front yard to be as shown on the revised development/landscape plan instead of being 15 feet. Therefore, approval of the revised development/landscape plan and that condition (e)(1) be revised to read as follows: “Front Yard. Minimum front yard must be as shown on the attached development/landscape plan.”

Motion seconded by Councilmember Thornton Reese.

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

Voting Yes:	[12]	Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway, Chaney, Lipscomb, Walne, Finkelman, Blumer
Voting No:	[0]	
Absent when vote taken:	[3]	Kirk, Greyson, Forsythe Lill

Mayor Pro Tem Poss declared the motion adopted.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24015.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2857

Item 54: Public Hearing - Zoning Case Z978-150/10495-SE(LS)

A public hearing was called on zoning case Z978-150/10495-SE(LS), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District on the northeast side of Fitzhugh Avenue, northwest of Haskell Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant.)

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

Appearing in favor of the city plan commission recommendation:

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

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

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 24016.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2858

Item 55: Public Hearing - Zoning Case Z989-203/10866-C(FD)

A public hearing was called on zoning case Z989-203/10866-C(FD), an application for and an ordinance granting an amendment to Area I within Planned Development District No. 317, the Cedars Area Special Purpose District, to permit a detached premise sign on property at the south corner of Interstate Highway 30 and Harwood Street.

(The city plan commission recommended approval.)

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

Appearing in favor of the city plan commission recommendation:

-- Jim Harris, 1700 Pacific Ave., representing the applicant

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

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 24017.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2859

Item 56: Public Hearing - Zoning Case Z989-241/10903-SE(SS)

A public hearing was called on zoning case Z989-241/10903-SE(SS), an application for and an ordinance granting a P(A) Parking District on property presently zoned an R-5(A) Single Family District on the northwest side of 56th Street, northeast of Veterans Drive.

(The city plan commission recommended approval.)

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

Appearing in favor of the city plan commission recommendation:

-- Jessie Smith, 5007 Ivy Ln.

Councilmember Lipscomb moved to postpone consideration of the application until the September 22, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2860

Item 57: Public Hearing - Zoning Case Z978-327/10675-NW(ML)

A public hearing was called on zoning case Z978-327/10675-NW(ML), an application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses, MF-2 Multiple Family Subdistrict Uses, and certain GR General Retail Subdistrict Uses on property presently zoned a TH-3 Townhouse Subdistrict, an LC Light Commercial Subdistrict, and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the north and east corners of Harry Hines Boulevard and Throckmorton Street.

(The city plan commission recommended approval of a Planned Development Subdistrict for certain GR General Retail Subdistrict Uses on a portion of the site, subject to a conceptual plan and conditions, and denial without prejudice of O-2 Office Subdistrict Uses and MF-2 Multiple Family Subdistrict Uses on the remainder of the area of request. This application was considered by the City Council at a public hearing on August 11, 1999, and was taken under advisement until September 8, 1999, with the public hearing open.)

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

Councilmember Loza moved to postpone consideration of the application until the September 22, 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

September 8, 1999

99-2861

Item 58: Public Hearing - Zoning Case Z989-173/10807-NC(PN)

A public hearing was called on zoning case Z989-173/10807-NC(PN), an application for and an ordinance granting a CR Community Retail District on property presently zoned an NO(A) Neighborhood Office District with Specific Use Permit No. 2 for an Electric substation, and an application for and an ordinance granting the termination of Specific Use Permit No. 2 at the southwest corner of Dallas North Tollway and Alpha Road, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

(The city plan commission recommended approval of a CR Community Retail District, and approval of the termination of Specific Use Permit No. 2 . This application was considered by the City Council at a public hearing on June 23, 1999, and again on August 11, 1999, and was taken under advisement until September 8, 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, accept the recommendation of the city plan commission, pass the ordinances and approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 24018 and ORDINANCE NO. 24019.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2862

Item 59: Public Hearing - DEVELOPMENT CODE AMENDMENT UNDER ADVISEMENT - INDIVIDUAL

A public hearing was called to receive citizen comments on consideration of an amendment to the Dallas Development Code amending Section 51-4.301(e) to make the parking lot lighting requirements consistent with those contained in Section 51A-4.301(e), and an ordinance implementing the proposal.

(The city plan commission recommended approval. This proposal was considered by the City Council at a public hearing on August 11, 1999, and was taken under advisement until September 8, 1999, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

-- Pam Conley, 901 N. Madison Ave.

Appearing in favor of the city plan commission recommendation:

-- Jim Harris, 1700 Pacific Ave.

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

Motion seconded by Mayor Pro Tem Poss.

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

Voting Yes: [12] Kirk, Poss, Loza, Miller, Thornton Reese, Hill, Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer

Voting No: [3] Salazar, Mallory Caraway, Forsythe Lill

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24020.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2863

Item 60: 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2864

Item 61: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2865

Item 62: First reading of the appropriation ordinances for the proposed FY 1999-2000 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City

The following individual addressed the city council regarding the proposed FY 1999-2000 City of Dallas Operating, Grants and Trusts, and Capital Budgets:

-- Elsie Risby, 2900 Dilido Rd.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmember Greyson voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2866

Item 63: Authorize a 120 day extension to the moratorium on the acceptance of applications for detached non-premise sign permits - Financing: No cost consideration to the City

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

The city secretary announced that council approval of the moratorium required the favorable vote of three-fourths of all members of the council.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[11]	Kirk, Poss, Salazar, Loza, Miller, Hill, Chaney, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[2]	Thornton Reese, Lipscomb
Abstain:	[1]	Mallory Caraway, Walne

Mayor Kirk declared the motion lost.

Later in the meeting, Mayor Kirk stated that it was brought to his attention that he had to correct the vote on agenda item 63 according to Dallas Rules of Procedure 7.12(b), a moratorium can only be extended on a vote of 3/4 of all the members of the council. That would be 12 members, assuming all members of this body were eligible to vote on the item. Two members of the council, Councilmembers Walne and Mallory Caraway, were required to abstain from voting on agenda item 63 due to conflict of interest. Because they were not able to vote on this item, the 3/4 requirement of Rules 7.12(b) would apply to 13 members, rather than 15 members. 3/4 of 13 members would require a vote of 10 members for the item to pass. As the vote on item 63 was 11 in favor and 2 against, the item passed. Let the record of the city secretary therefore reflect that item 63 passed with a vote of 11 to 2.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2867

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
- Mattie Smith/Sheffield Bell v. City of Dallas, Cause No. 3:95-CV-0306-R
- Iving Thomas, et ux. v. City of Dallas, et al, Cause No. 3:96-CV-2144-R
- Charles Freeman v. City of Dallas, Cause No. 3:96-CV-1108-X
- George Joseph v. City of Dallas, Cause No. 95-03411-G
- Russell Treece v. City of Dallas, et al, Cause No. CC-97-5407-E
- Irma Jean James and Terri Lary v. City of Dallas, Civil Action No. 3-98-CV-0436-R
- MD, II vs. City of Dallas, et al; DV98-01880-D
- MD, II vs. City of Dallas, et al; DV98-08343-B
- MD, II Entertainment, Inc., vs. City of Dallas, et al; DV97-08254-J
- MD, II Entertainment, Inc., vs. City of Dallas, et al; 99-00755-L
- D Burch, Inc., vs. City of Dallas, et al; DV98-02710-L
- D Burch, Inc., vs. City of Dallas, et al; 97-06039-J
- D Burch, Inc., vs. City of Dallas, et al; DV99-00756-D
- D Burch, Inc., vs. City of Dallas, et al; DV98-08344-F
- Allen-Burch, Inc., vs. City of Dallas, et al; DV98-08343-B
- Allen-Burch, Inc., vs. City of Dallas, et al; DV98-01118-G
- Allen-Burch, Inc., vs. City of Dallas, et al; DV99-00754-L
- ERAF Corporation vs. City of Dallas, et al; DV98-02501-A
- Northwest Entertainment vs. City of Dallas, et al; DV98-05799-E

- Northwest Investments vs. City of Dallas, et al; DV98-05801-E
- Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Jeffrey A. Saitas, in his capacity as Executive Director of the Texas Natural Resource Conservation Commission, Herman Nethery and Terry Van Sickle; Civil Action No. 3:98-CV-0291-H
- Sean Lonergan & Auzar Teherzabed vs. AJ's Wrecker Service vs. City of Dallas, Cause No. 3:98-CV-3020-D
- Albert, et al. v. City of Dallas, Cause No. 1999-697-94
- 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
- Martin, et al. v City of Dallas, Cause No. 1-95-506
- DFW Airport Bond Financing

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)

- 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
- U. S. Department of Transportation Love Field Service Interpretation proceeding, Docket No. OST-98-4363
- Mattie Smith/Sheffield Bell v. City of Dallas, Cause No. 3:95-CV-0306-R
- Iving Thomas, et ux. v. City of Dallas, et al, Cause No. 3:96-CV-2144-R
- Charles Freeman v. City of Dallas, Cause No. 3:96-CV-1108-X
- George Joseph v. City of Dallas, Cause No. 95-03411-G
- Russell Treece v. City of Dallas, et al, Cause No. CC-97-5407-E
- Irma Jean James and Terri Lary v. City of Dallas, Civil Action No. 3-98-CV-0436-R
- Sean Lonergan & Auzar Teherzabed vs. AJ's Wrecker Service vs. City of Dallas, Cause No. 3:98-CV-3020-D

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2868

Addendum addition 1: An ordinance amending the Dallas Development Code Section 51A-5.101 of Chapter 51A to amend the Flood Plain Regulations to include changes and additions to meet federal criteria, new definitions, and an additional technical requirement - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the amendment:

- Anna Albers, 201 N. Edgefield Ave., representing Citizens For a Safe Environment
- Luis Sepulveda, 5105 Goodman St., representing West Dallas Coalition For Environmental Justice
- D.J. Young, 3600 Fairfax Ave., representing Dallas Historic Tree Coalition
- Jim Riggert, 6622 Northport Dr.
- Eula Bryant, 2510 South Blvd.

Councilmember Finkelman moved to defer the ordinance until the October 6, 1999 briefing meeting of the city council.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2869

Addendum addition 2: Authorize a professional services contract with Diversified Utility Consultants, Inc. to provide review of TXU Lone Star Gas Company's application for increase in gas rates - Not to exceed \$25,000 - Financing: Current Funds (to be fully reimbursed by TXU Lone Star Gas Company)

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2870

Addendum addition 3: A resolution extending the City Council's decision deadline for TXU Lone Star Gas Company's proposed new gas rate schedules for 90 days from October 1, 1999 through December 30, 1999 - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the resolution.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2871

Addendum addition 4: Authorize the purchase of computer hardware, software, and peripherals for enhancements and expansion of the Dallas Police Department's Wide Area Network to increase the efficiency of police operations with the lowest responsible bidders of twenty-two - Monarch Systems, Inc., Absolute Systems, MicroAge, Terminal Exchange, Infinite Source, and Metroplex Info Systems - Not to exceed \$648,049 - Financing: 1997-98 Local Law Enforcement Block Grant Funds (\$581,755), 1997-98 Advancing Community Policing Grant Funds (\$63,386), and 1998-99 Community Development Grant Funds (\$2,908)

Councilmember Walne moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2872

Addendum addition 5: A resolution endorsing the Dallas Police Department's one year "Police and Constables in Partnership Pilot Program" for increased traffic enforcement and crime reduction efforts in Northeast Dallas (which includes portions of City Council Districts 7, 9, 10, 11, 13 and 14) with Dallas County Constable Precinct 1 beginning October 1, 1999 - Financing: No cost consideration to the City

The city secretary announced that Deputy Mayor Pro Tem Salazar had deferred consideration of addendum addition 5 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Deputy Mayor Pro Tem Salazar stated that he had notified the city secretary in writing that he had deferred addendum addition 5 until the next voting agenda meeting, and he moved to withdraw the deferral and consider the item as an individual item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Mayor Kirk stated that addendum addition 5 would be considered later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Salazar's request.

Later in the meeting addendum addition 5 was brought up for consideration.

Deputy Mayor Pro Tem Salazar moved to approve the resolution with the following change, that the following new Section 3 be substituted for the existing Section 3 in the resolution to read:

“That the Dallas Police Department's Chief of police may extend the “Police and Constables in Partnership Pilot Program” to other Dallas County Constable Precincts interested in participating in this program.”

and approve the resolution with that change.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2873

Addendum addition 6: An ordinance repealing Ordinance No. 23505, as amended by Ordinance No. 24004, and Ordinance Nos. 23416, 20717, 23181, 22653 and 23325 and authorizing the City Attorney to take actions to comply with Sec. 283.053 (d) and (e) of the Local Government Code in order to implement House Bill 1777 - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 24021.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2874

Addendum addition 7: An ordinance providing for terms and conditions of use of Dallas public right-of-way by non-franchised, certificated telecommunications providers in order to implement House Bill 1777 - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to pass the ordinance.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

Assigned ORDINANCE NO. 24022.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2875

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, SEPTEMBER 8, 1999

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, SEPTEMBER 8, 1999

99-2800

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]

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 8, 1999

99-2866

Item 63: Authorize a 120 day extension to the moratorium on the acceptance of applications for detached non-premise sign permits - Financing: No cost consideration to the City

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

The city secretary announced that council approval of the moratorium required the favorable vote of three-fourths of all members of the council.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[11]	Kirk, Poss, Salazar, Loza, Miller, Hill, Chaney, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[2]	Thornton Reese, Lipscomb
Abstain:	[2]	Mallory Caraway, Walne
Absent when vote taken:	[1]	Mallory Caraway

Mayor Kirk declared the motion lost.

Later in the meeting, Mayor Kirk stated that it was brought to his attention that he had to correct the vote on agenda item 63 according to Dallas Rules of Procedure 7.12(b), a moratorium can only be extended on a vote of 3/4 of all the members of the council. That would be 12 members, assuming all members of this body were eligible to vote on the item. Two members of the council, Councilmembers Walne and Mallory Caraway, were required to abstain from voting on agenda item 63 due to conflict of interest. Because they were not able to vote on this item, the 3/4 is requirement of Rules 7.12(b) would apply to 13 members, rather than 15 members. 3/4 of 13 members would require a vote of 10 members for the item to pass. As the vote on item 63 was 11 in favor and 2 against, the item passed. Let the record of the city secretary therefore reflect that item 63 passed with a vote of 11 to 2.