

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 15, 1999

99- 3970

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

PRESENT: [14] Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway,
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [1] Kirk absent on city business

The meeting was called to order at 9:32 a.m.

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

The invocation was given by Lama Dudjom Dorjee, KTC Tibetan Buddhist Meditation Center.

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

After all business properly brought before the city council had been considered the city council adjourned at 4:27 p.m.

Mayor Pro Tem

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, DECEMBER 15, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 15, 1999

EXHIBIT B

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3971

Agenda item (3): Special Presentations

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3972

OPEN MICROPHONE

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

OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER:	Dwayne Dallas, 6266 St. Albans Dr.	
SUBJECT:	Blacks in America	
SPEAKER:	Graciela Aleman, 2219 Alabama Ave.	
REPRESENTING:	Latino Association of Real Estate Professionals	
SUBJECT:	CBDG Funds	
SPEAKER:	Luis DelaGarza, 2219 Alabama Ave.	CANCELED
SUBJECT:	Affordable housing in Dallas	
SPEAKER:	Betty Washington, 1224 Fordham Rd.	NO SHOW
REPRESENTING:	ACORN	
SUBJECT:	Housing repair problems	
SPEAKER:	Marlon Lytle, 4090 Oak Lawn Ave.	NO SHOW
SUBJECT:	Homeless concerns in Dallas	
SPEAKER:	Alfredo Castaneda, 8934 Rosecliff Dr.	
SUBJECT:	Mexicanos Unidos 2000	
SPEAKER:	Chris Zimmerly, 9739 Denton Dr.	
REPRESENTING:	San Saba Press	
SUBJECT:	Art in Dallas/Youth In Art Program	
SPEAKER:	Wesley Sims, 1403 Fernwood Ave.	
SUBJECT:	Housing/Acorn Community Church	

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

BREIFING MEETING OF THE DALLAS CITY COUNCIL
99-3972
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Deputy Mayor Pro Tem Salazar moved to suspend the rule to allow Maria Dominquez to speak in the morning session.

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

SPEAKER: Maria Dominquez, 8934 Rosecliff Dr.
SUBJECT: Familias Unidas

OPEN MICROPHONE - END SPEAKERS

SPEAKER: Christopher lane, 3745 Highgrove Dr. **CANCELED**
REPRESENTING: From the Group Up Productions
SUBJECT: Introduction of business/Support of Arts

SPEAKER: Jewel Floyd, 3815 Myrtle St. **NO SHOW**
SUBJECT: KKK/Jerry Buchmeyer/1100 Commerce

SPEAKER: Jurline Hollins, 1514 Homeland St.
SUBJECT: Legal reason for denying taxation without representation claim

SPEAKER: Jimmy Lee, P.O. 4994 **NO SHOW**
SUBJECT: Abuse of authority vs. URSB

SPEAKER: E. Bryant, 2510 S. Bryant Blvd.
SUBJECT: City Affairs

SPEAKER: Evelyn Daniels, 2826 Arizona Ave.
SUBJECT: Relocation in regards to lawsuit settlement and harassment in community

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

99-3972

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SPEAKER: Michael Lloyd, 8220 Fair Oaks Ave. **NO SHOW**
REPRESENTING: J & J Customer Works
SUBJECT: Overdue invoiced by Planning & Department

SPEAKER: Gwain Wooten, 5111 Holland Ave. **NO SHOW**
REPRESENTING: Native Dallas Sites
SUBJECT: Dallas response to respirations for African Americans

Councilmember Forsythe Lill moved to suspend the rule to allow David Mercer to speak instead of Michael Knight that did not appear for speaking.

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

SPEAKER: David Mercer, 500 Crest Ridge Dr., Irving,
REPRESENTING: Dallas Speciality & Manufacturing Co.
SUBJECT: Bid Process

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3973

Agenda item 1: Approval of Minutes of the November 3, 1999 and November 17, 1999 City Council Meetings

Councilmember Loza moved to approve the minutes, as corrected by Councilmember Greyson.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

December 15, 1999

99-4000

CONSENT AGENDA

The consent agenda, consisting of agenda items 3-10, was presented for consideration.

Councilmember Hill requested that consent agenda item 5 be removed from the consent agenda to be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Chaney requested that consent agenda item 10 be removed from the consent agenda to be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 10 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Forsythe Lill moved to approve all items on the consent agenda with the exception of items 5 and 10 would be considered later in the meeting.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3974

99-3975

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

The city secretary distributed a report showing all nominations and renominations received for city board and commission appointments for the 1999-2001 board term updated through December 15, 1999

The city secretary noted that the report indicated nominees and renominees for individual appointments cleared for council action that met all qualifications for service. The city secretary also noted that the term for each nominee would end August 31, 2001.

Mayor Pro Tem Poss stated that DFW board appointees would not be acted on due to a full council, and it would be considered at the January 5, 2000 briefing meeting of the city council.

Councilmember Lipscomb moved to suspend the rule to vote on the DFW board appointees.

Motion seconded by Councilmember Blumer.

After discussion, Councilmember Lipscomb withdrew his motion, therefore no motion was needed to act.

Councilmember Forsythe Lill moved to appoint D. Michael Lynn to the Civil Service Board.

Motion seconded by Councilmember Hill and unanimously adopted. (Kirk absent on city business)

Councilmember Greyson moved to appoint Dan H. Ellinor to the Housing Finance Corporation Board.

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

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

99-3974 and 99-3975

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Councilmember Forsythe Lill moved to appoint John R. Allumus to the Reinvestment Zone One Board (State-Thomas).

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

Councilmember Loza moved to appoint Stephen H. Kanoff to the Reinvestment Zone Five Board (City Center).

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

Councilmember Lipscomb moved to appoint all of the nominees to “individual appointment” positions in the report who meet all qualifications for service to boards and commissions of the city for the term ending August 31, 2001.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Kirk absent on city business)

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

99-3992	CDC	COMMUNITY DEVELOPMENT COMMISSION
99-3993	CSB	CIVIL SERVICE BOARD
99-3994	CSX	CIVIL SERVICE BOARD ADJUNCT MEMBERS
99-3995	HFC	HOUSING FINANCE CORPORATION BOARD
99-3996	MLK	MARTIN LUTHER KING JR COMMUNITY CENTER BOARD
99-3997	RZ1	REINVESTMENT ZONE ONE BOARD (STATE-THOMAS)
99-3998	RZ5	REINVESTMENT ZONE FIVE BOARD (CITY CENTER)
99-3999	SDD	SOUTHERN DALLAS DEVELOPMENT CORPORATION BOARD

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3976

Item 3: Authorize a professional services contract with J. S. Ground Engineering for surveying, engineering, and design for the storm drainage relief system at 2601 Arroyo Avenue - \$24,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3977

Item 4: Authorize a professional services contract with Westin Engineering, Inc. for the process control and plant automation improvements at the Southside Wastewater Treatment Plant - \$1,863,744 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3978

Item 5: Authorize (1) a contract for the construction of Phase VIII street improvements, water and wastewater main improvements and streetscaping on State Street, Thomas Avenue, Clark Street, Hallsville Street and Ellis Street located in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) with Architectural Utilities, Inc., lowest responsible bidder of five in the amount of \$2,814,399, (2) assignment of the construction contract to Gables Realty Limited Partnership for construction administration, and (3) payment to Gables Realty Limited Partnership in an amount not to exceed \$385,000 for project costs including design, construction administration and testing services - \$3,199,399 - Financing: Private Funds (Advance from Gables Realty Limited Partnership to the State-Thomas TIF District Fund)

Councilmember Hill requested that consent agenda item 5 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 5 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 5 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Finkelman.

Councilmember Hill moved to substitute for Councilmember Forsythe Lill's motion a motion to deny the item.

Motion seconded by Councilmember Mallory Caraway.

After discussion, Mayor Pro Tem Poss called the vote on Councilmember Hill's substitute motion:

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

Mayor Pro Tem Poss declared the motion lost.

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BRIEFING MEETING OF THE DALLAS CITY COUNCIL
99-3978
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Mayor Pro Tem Poss then called the vote on Councilmember Forsythe Lill's motion:

Voting Yes:	[9]	Poss, Loza, Miller, Lipscomb, Walne, Finkelman, Greyson, Blumer. Forsythe Lill
Voting No:	[5]	Salazar, Thornton Reese, Hill, Mallory Caraway, Chaney
Absent:	[1]	Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3979

Item 6: Authorize an increase in the contract with Ed Bell Construction Company for reinforced concrete sidewalks, reinforced concrete box culvert for storm drainage and adjustments for cost increases in concrete items, labor, and materials on Street Group 421 - \$351,656, from \$1,890,014 to \$2,241,670 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3980

Item 7: Authorize an increase in the contract with Tiseo Paving Company for alley paving and wastewater main improvements on the alley between Fisher Road and Lontos Drive from Lovers Lane to Fisher Road - \$34,263, from \$204,482 to \$238,745 - Financing: 1995 Bond Funds (\$27,573), Water Utilities Bond Funds (\$6,690)

Approved as part of the consent agenda.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3981

Item 8: Authorize an increase in the contract with Archer-Western Contractors Ltd. for the work associated with Southside Wastewater Treatment Plant Pump Station C screening modifications - \$163,568, from \$6,776,454 to \$6,940,022 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3982

Item 9: Authorize Supplemental Agreement No. 2 to the contract with Freese and Nichols, Inc. to provide additional engineering services for Forney Dam improvements - \$36,316, from \$350,545 to \$386,861 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3983

Item 10: Authorize a loan to Connie Davis-Rosborough d/b/a Davis Apparel Shop to provide funding for the renovation of the facility which is located in the South Dallas/Fair Park Trust Funds target area - \$50,000 - Financing: South Dallas/Fair Park Trust Funds

Councilmember Chaney requested that consent agenda item 10 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 10 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 10 was brought up for consideration.

Councilmember Chaney moved to approve the item.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3984

Item 11: A resolution adopted concurrently by the City Councils of the Cities of Dallas and Fort Worth authorizing the Dallas/Fort Worth International Airport Board to proceed with the implementation of its proposed Capital Development Program, to develop the marketing plan for the financing of costs for the Program, and to submit necessary financing documents to the City Councils for final concurrent approval - Financing: No cost consideration to the City

Councilmember Forsythe Lill announced that she had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Forsythe Lill left the city council chamber.

Councilmember Mallory Caraway moved to approve the resolution.

Motion seconded by Councilmember Lipscomb.

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, Greyson
Voting No:	[1]	Blumer
Abstain:	[1]	Forsythe Lill
Absent:	[1]	Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3985

Item 12: A resolution designating the City of Dallas recommendations regarding the Locally Preferred Investment Strategy for DART's Southeast Corridor Major Investment Study
- Financing: No cost consideration to the City

Councilmember Chaney announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Chaney left the city council chamber

Councilmember Mallory Caraway moved to approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted. (Kirk absent on city business; Chaney abstaining)

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3986

Item 13: A resolution designating the City of Dallas recommendations regarding the Locally Preferred Investment Strategy for DART=s Northwest Corridor Major Investment Study - Financing: No cost consideration to the City

Councilmember Greyson moved to add a new Section 2 to read:

“That the approval of this resolution in no way indicates a change in Council support for a downtown subway, as identified in the Master Interlocal Agreement between the City and DART, executed February 28, 1990”

and approve the resolution.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[12]	Poss, Salazar, Loza, Miller, Thornton Reese, Mallory Caraway, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	
Absent:	[1]	Kirk absent on city business
Absent when vote taken:	[2]	Hill, Chaney

Mayor Pro Tem Poss declared the motion adopted.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3987

Briefings A. Redbird Airport Update

The briefing of this item was postponed.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3988

Item 14: Authorize multiple one-year lease agreements between the City of Dallas and former subtenants of Redbird Development Corporation at Dallas Redbird Airport and defer any future development or long term lease decisions until the completion of the Redbird Airport Master Plan - Estimated Revenue: \$30,000 annually

The following individuals addressed the city council regarding Redbird Development Corporation:

Dan Tatch, 2200 Ross Ave., representing Trammel Crow Co.

Dennis Sorber, 5035 Voyager Dr.

Edna Pemberton, 9438 Sophora Dr., representing Friends of Redbird Airport

Ralph Ryan, 311 Omaha Ln., Duncanville, representing Redbird Electronics

Councilmember Mallory Caraway moved to refer the item back to the Transportation Telecommunications Committee to be placed on the January committee meeting agenda.

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

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3989

Briefings B. Proposed Historic Preservation Ordinance, Dallas Development Code Amendment

The city manager briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3990

Briefings: C. Conclusions and Recommendations from TxDOT SH 183/West Fork Corridor MIS
and Loop 12/IH 35E Corridor MIS

The representatives from TxDOT briefed the city council on the item.

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3991

Closed Session

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

- Debra Walker, et al. v. HUD, et al
- City of Fort Worth, Texas and
American Airlines, Inc. v. City of Dallas, Texas et al., Cause No. 48-171109-97
- Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort
Worth, Texas, et al., Cause No. 3:98-CV-1187-R (consolidated with City of Dallas, Texas v.
Department of Transportation, et al., Cause No. 3:97-CV-2734-R)
- Ozark Airlines, Inc., v. City of Dallas, Texas, U.S. Department of Transportation - FAA Complaint
- U.S. Department of Transportation Love Field Service Interpretation Proceeding,
Docket No. OST-98-4363 DFW Airport Bond Financing
- Albert, et al. v. City of Dallas, Cause No. 199-697-94
- Hill, et al v. City of Dallas, Cause No. 95-00975-F
- Willis, et al. v. City of Dallas, Cause No. 199-200-95
- Barber, et al v. City of Dallas, Cause No. 199-624-95
- Parker, et al. v. City of Dallas, Cause No. 1-95-107
- Martin, et al v. City of Dallas, Cause No. 1-95-506
- City of Dallas, et al v. James C. Curry, et al.;
Docket No. 94-07642-K
- Irma Jean James and Terri Lary v. City of Dallas;
Civil Action No. 3:98-CV-0436-R
- Jennifer Holland v. Christopher Harmon, et al,
Cause No. 3:97-CV-0754-D
- Robert L. Kinkade v. City of Dallas, a Political Subdivision,
and Allan M. Brown, Cause No. 97-11239-I
- Carlos Jackson and Dana Jackson v. City of Dallas;
Civil Action No. 3:96-CV-0390-R
- Lee A. Bush v. City of Dallas; Civil Action No. 3:98-CV-0365-H
- Willard R. Rollins v. City of Dallas, Cause No. DV99-07805-C
- W. Dale Robinson, et al. v. City of Dallas, et al; Cause No. DV98-09055-I
- Sean Lonergan & Auzar Teherzabed v. AJ=s Wrecker Service v.
City of Dallas, Cause No. 3:97-CV-1311-D
- McKinney Avenue Contemporary, L.L.C., et al., v. City of Dallas,
Cause No. cc-99-11750-d

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CITY OF DALLAS, TEXAS

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

99-3991

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

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

- Sean Lonergan & Auzar Teherzabed v. AJ=s Wrecker Service v. City of Dallas, Cause No. 3:97-CV-1311-D
- McKinney Avenue Contemporary, L.L.C., et al., v. City of Dallas, Cause No. cc-99-11750-d

No other matters were discussed during the closed session.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 15, 1999

EXHIBIT C

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, DECEMBER 15, 1999

99- 3970

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

PRESENT: [14] Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway,
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

ABSENT: [1] Kirk absent on city business

CORRECTION

BRIEFING MEETING OF THE DALLAS CITY COUNCIL

December 15, 1999

99-3972

OPEN MICROPHONE

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REPRESENTING:	Latino Association of Real Estate Professionals	
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SPEAKER: Jewel Floyd, 3815 Myrtle St. **NO SHOW**
SUBJECT: KKK/Jerry Buchmeyer/1100 Commerce

SPEAKER: Jurline Hollins, 1514 Homeland St.
SUBJECT: Legal reason for denying taxation without representation claim

SPEAKER: Jimmy Lee, P.O. 4994 **NO SHOW**
SUBJECT: Abuse of authority vs. URSB

SPEAKER: E. Bryant, 2510 S. Bryant Blvd.
SUBJECT: City Affairs

~~SPEAKER:~~ SPEAKER: Evelyn Daniels, Daniels 2826 Arizona Ave.
SUBJECT: Relocation in regards to lawsuit settlement and harassment in community