

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2000

00-1379

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

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

ABSENT: [0]

VACANT: [1] Place 8

The meeting was called to order at 9:31 a.m.

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

The invocation was given by Isiah Moore, assistant chaplain, Dallas Fire Department.

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 4:32 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.

4/27/00 10:45 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2000

EXHIBIT A

4/27/00 10:45 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2000

EXHIBIT B

4/27/00 10:45 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1380

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:	Ralph Eisenberg, 450 W. Greenbriar Ln.	CANCELED
SUBJECT:	Arcadia Park Pool closing	
SPEAKER:	Karen Moulton, 1214 N. Clinton Ave.	
SUBJECT:	Arcadia park Pool closing	
SPEAKER:	Tim Daniels, 8659 Ashcroft Ave.	
SUBJECT:	Saving Arcadia and Wheatley Pools	
SPEAKER:	Albert Parker, 9647 Oak Gate Ln.	
REPRESENTING:	John Q. Public	
SUBJECT:	The Government Retreats/Former Councilmember Mr. Lipscomb	
SPEAKER:	Clarence Mack, 1206 Ann Arbor Ave.	
SUBJECT:	Swimming Pools	
SPEAKER:	Chris Schoolcraft, 706 N. Bagley St.	
REPRESENTING:	Arcadia Park United Methodist Church	
SUBJECT:	Arcadia Park Swimming Pool	

Councilmember Chaney moved to suspend the rule to allow Marvin Crenshaw to speak in the morning session.

Motion seconded by Councilmember Miller and unanimously adopted. (Place 8 vacant)

SPEAKER:	Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING:	Malcolm X Community Council
SUBJECT:	Who is Joe Kendall?

4/27/00 10:45 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1380

Page 2

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: Barbara Mallory Caraway/KKK/N.T. Towing/Dunn Bearden

SPEAKER: Peter Johnson, 7405 Flameleaf Pl.
SUBJECT: Gun shows

SPEAKER: Arthur Jackson, 10651 Steppington Dr. **NO SHOW**
REPRESENTING: E-Chex
SUBJECT: E-Chex

SPEAKER: Thomas Collins, 3042 Hatcher St. **CANCELED**
SUBJECT: Prosecution Division – City Attorney’s Office

SPEAKER: Jean Houser, 5103 Cardiff St.
REPRESENTING: Corrigan Terrace Neighborhood Organization
SUBJECT: Group Homes Enforcement

SPEAKER: Jewel Floyd, 3815 Myrtle
SUBJECT: Don’t believe the hype. Judge Atwell, Judge Jerry Buchmeyer, Councilmember Laura Miller, Mayor Ron Kirk, Former Councilmember Al Lipscomb, Congresswoman Eddie Bernice Johnson, Vice President Al Gore, President Clinton, Governor Bush, Schepps Diary

SPEAKER: Jurline Hollins, 1514 Homeland St.
SUBJECT: Taxation Without Representation

SPEAKER: Evelyn Daniel, 2826 Arizona Ave.
SUBJECT: Holding my son hostage/Civil Rights

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1381

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of April 12, 2000, were presented for approval.

Councilmember Loza moved to approve the minutes as corrected by Councilmembers Finkelman and Greyson.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1382

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-56, was presented for consideration.

The city secretary announced that the city manager had deleted agenda item 12 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Miller requested that consent agenda items 15, 20, 23, 38, 47, 49, 50 and 54 be considered as individual items. Mayor Kirk stated that consent agenda items 15, 20, 23, 38, 47, 49, 50 and 54 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Miller's request.

Councilmember Finkelman requested that consent agenda items 17 and 30 be considered as individual items. Mayor Kirk stated that consent agenda items 17 and 30 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Mayor Pro Tem Poss and Councilmember Forsythe Lill requested that consent agenda item 53 be considered as an individual item. Mayor Kirk stated that consent agenda item 53 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Chaney requested that consent agenda item 54 be considered as an individual item. Mayor Kirk stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Loza moved to approve all items on the consent agenda with the exception of agenda item 12 which was deleted, and agenda items 15, 17, 20, 23, 30, 38, 47, 49, 50, 53 and 54 considered later in the meeting.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Place 8 vacant)

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1383

Item 2: Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for design services for the Automobile Building Restoration, Phase II at Fair Park and authorize an increase of appropriations in the amount of \$815,000 in State Fair of Texas Capital Construction Funds - \$95,703 - Financing: State Fair of Texas Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1384

Item 3: Authorize a professional services contract with EMCON/IT Group for providing technical services at McCommas Bluff Landfill including design, construction drawings and specifications for partial closure of Sector 3c, a bioreactor feasibility study, and geotechnical evaluation and preparation of construction plans and specifications for repair of the existing levee - Not to exceed \$130,000 - Financing: Current Funds (\$80,000) and Capital Construction Funds (\$50,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1385

Item 4: Authorize a professional services contract with Biggs & Mathews, Inc. for technical services at the McCommas Bluff Landfill including design, construction drawings and specifications for construction of landfill waste Cells 4A and 4B, providing an aerial photography survey services, and preparing a soil borrow master plan - Not to exceed \$136,600 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1386

Item 5: Authorize a contract for roof replacement at Dallas Love Field Airport, 8008 Cedar Springs - Castro Roofing of Texas, Inc., lowest responsible bidder of three - \$2,370,000
- Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1387

Item 6: Authorize a contract for the construction of drainage improvements on Alcalde Street - P & E Engineering, lowest responsible bidder of eight - \$74,480 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1388

Item 7: Authorize Supplemental Agreement No. 2 to the contract with PSA Engineering, Inc. to provide additional airfield electrical installation construction management and inspection services for Dallas Love Field Airport - \$92,500, from \$434,030 to \$526,530 - Financing: Aviation Capital Construction Funds (\$69,375 of the \$92,500 to be reimbursed from FAA Airport Improvement Program Funds)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1389

Item 8: Authorize an increase in the contract with Nedderman & Associates, Inc., for additional modifications at Campbell Green, Walnut Hill and Tommie M. Allen recreation centers; Churchill, McCree, Fretz and Walnut Hill community pools, L.B. Houston golf course, and Samuell-Grand amphitheater rest room and dressing room - \$41,700, from \$274,800 to \$316,500 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1390

Item 9: Authorize an increase in the contract with Big Sky Construction Company, Inc. to provide additional miscellaneous modifications at Cummings Recreation Center - \$47,062, from \$188,410 to \$235,472 - Financing: 1995 Bond Funds (\$32,099) and Enterprise Community Grant Funds (\$14,963)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1391

Item 10: Authorize an increase in the contract with Riverway Contractors and Management, Inc. to provide miscellaneous modifications for parking and trail improvements at Bachman Lake Park - \$26,291, from \$504,188 to \$530,479 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1392

Item 11: Authorize Supplemental Agreement No. 7 to the contract with Carter & Burgess, Inc. to provide design services for an athletic complex at Kiest Park - \$108,500, from \$261,060 to \$369,560 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1393

Item 12: Authorize Supplemental Agreement No. 1 to the contract with Earth Tech Environment & Infrastructure, Inc. (formerly Rust Lichliter/Jameson) for urban design improvements and surveying services on Haskell Boulevard from Lemmon Avenue to Main Street - \$51,968, from \$595,455 to \$647,423 - Financing: 1995 Bond Funds

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1394

Item 13: Authorize rejection of bids received for construction of erosion control and ball field improvements at Arcadia Park - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1395

Item 14: Authorize an Interlocal Agreement with the North Texas Tollway Authority for the construction and maintenance of permanent paving improvements within the North Texas Tollway Authority right-of-way for the Houston Street Extension to Harry Hines Boulevard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1396

Item 15: Authorize a benefit assessment hearing to be held on June 28, 2000, for alley paving, water, and wastewater main improvements on Alley Group 98-1115 - Financing: No cost consideration to the City

Councilmember Miller requested that consent agenda item 15 be considered as an individual item. Mayor Kirk stated that consent agenda item 15 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 15 was brought up for consideration.

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1397

Item 16: Authorize an Interlocal Agreement with the City of Plano and Collin County for the design and construction of paving and bridge improvements on Midway Road from the KCS Railroad to International Parkway - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1398

Item 17: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Baptist Foundation of Texas, of approximately 6.3 acres of unimproved land, located near the intersection of Westmoreland Avenue and I.H. 30 for the Oak Cliff Animal Shelter replacement site - \$298,000 - Financing: 1998 Bond Funds

Councilmember Finkelman requested that consent agenda item 17 be considered as an individual item. Mayor Kirk stated that consent agenda item 17 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, agenda item 17 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1399

Item 18: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eastridge Terrace Condominium Association, of a drainage easement containing approximately 13,538 square feet of unimproved land located near the intersection of Eastridge Drive and Skillman Street, for Eastridge Drive improvements - \$33,893 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1400

Item 19: Authorize a five-year lease, including five one-year renewal options, of approximately 9,960 square feet of land, including 4,200 square feet improved with office space and 5,760 square feet improved with surface automobile parking facilities with American Telecom Network at Dallas Redbird Airport - Revenue: \$10,579 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1401

Item 20: Authorize a ten-year lease agreement with options to extend the lease for two additional five-year terms with Texas Fire Museum, Inc. to provide approximately 125,708 square feet of space at 2600 Chalk Hill Road for the operation and maintenance of a museum and fire apparatus restoration and maintenance facility - Revenue: \$4,200 annually

Councilmember Miller requested that consent agenda item 20 be considered as an individual item. Mayor Kirk stated that consent agenda item 20 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 20 was brought up for consideration.

The following individual addressed the city council regarding the Texas Fire Museum, Inc.

Wayne Mattox, representing Texas Fire Museum, Inc.

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1402

Item 21: Authorize a pipeline crossing agreement with Kansas City Southern Railway Company for the installation of a 36-inch underground pipe for storm water runoff, located near the intersection of Highland Road and Barbaree Boulevard for the Barbaree Boulevard drainage project - \$15,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1403

Item 22: An ordinance granting a private license to Texas Instruments Incorporated, for the use of approximately 657 square feet of land to install, operate and maintain an underground pipe line to connect to the wastewater collection system located under a portion of Valley View Lane, near its intersection with TI Boulevard - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24229.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1404

Item 23: Authorize a professional services contract with KPMG LLP to perform a Disaster Recovery Needs Assessment of the City's data processing facilities, most advantageous proposer of four - Not to exceed \$435,000 - Financing: Current Funds

Councilmember Miller requested that consent agenda item 23 be considered as an individual item. Mayor Kirk stated that consent agenda item 23 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 23 was brought up for consideration.

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Mallory Caraway.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmembers Miller and Blumer voting "No." (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1405

Item 24: Authorize a twenty-four-month price agreement for reprographic services with the lowest responsible bidder of six - Thomas Reprographics, Inc. - Not to exceed \$1,225,151 - Financing: Current Funds (\$1,015,123), Aviation Current Funds (\$421), Convention and Event Services Current Funds (\$520), Water Utilities Current Funds (\$61,825), 1995 Bond Funds (\$90,192), 1998 Bond Funds (\$53,265), 1998-99 Community Development Grant Funds (\$761) and 1999-00 Community Development Grant Funds (\$3,044)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1406

Item 25: Authorize a twenty-four-month price agreement for electrical supplies with the lowest responsible bidder of six - WESCO Distribution, Inc. - Not to exceed \$3,043,976 - Financing: Current Funds (\$1,125,864), Water Utilities Current Funds (\$1,179,098), Aviation Current Funds (\$185,020), Convention and Event Services Current Funds (\$553,994)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1407

Item 26: Authorize a thirty-six-month price agreement for heavy equipment rental with the lowest responsible bidders of thirteen - Anthony Crane Rental of Texas, Inc., Budget Rent-A-Car, Commercial Body Corp., Continental Equipment Co., L.P., Crescent Machinery Co., Dallas Ford New Holland, Inc., Future Equipment Co., Inc., Hi-Way Equipment Co., No. Texas, Hertz Equipment Rental Corp., Martin Equipment Co., RDO Equipment Co., Shiloh Equipment Co., United Rentals - Not to exceed \$1,258,188 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1408

Item 27: Exercise the option to purchase additional truck mounted flushers under the same terms as previously awarded on August 26, 1998, by Resolution #98-2433 with the lowest responsible bidder of two - Hi-Way Equipment Company North Texas - Not to exceed \$111,249 - Financing: Current Funds (\$37,083), 1999 Equipment Acquisition Contractual Obligation Notes (\$74,166)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1409

Item 28: Authorize a thirty-six-month price agreement for automotive decals with the lowest responsible bidder of four - Graphic Designs International, Inc. - Not to exceed \$145,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1410

Item 29: Authorize the purchase of 128 microcomputers with the lowest responsible bidder of eighteen - Clone Computers Corporation - Not to exceed \$139,776 - Financing: Telecommunication Infrastructure Fund Board

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1411

Item 30: Authorize a twenty-four-month price agreement for grounds maintenance for eight City of Dallas, Police Department locations with the lowest responsible bidder of three - Forest Green Landscape, Inc. - Not to exceed \$104,068 - Financing: Current Funds

Councilmember Finkelman requested that consent agenda item 30 be considered as an individual item. Mayor Kirk stated that consent agenda item 30 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Later in the meeting, agenda item 30 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1412

Item 31: Authorize the purchase of microfiche/film reader-printers from the lowest responsible bidder of four - Canon U.S.A., Inc. - Not to exceed \$62,147- Financing: 1998-99 Local Law Enforcement Block Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1413

Item 32: Authorize a twenty-four-month price agreement for sand and grease trap cleaning with the lowest responsible bidder of four - Alco Environmental, Inc. Not to exceed \$166,958 - Financing: Current Funds (\$165,378), Water Utilities Current Funds (\$1,580)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1414

Item 33: Authorize a twenty-four-month price agreement for plastic sewer couplings and lateral cleanouts with the lowest responsible bidders of two - All-Tex Plumbing Supply, Inc. and Mike Harms Associates, Inc. - Not to exceed \$183,562 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1415

Item 34: Authorize a thirty-six-month price agreement for temporary industrial labor with the lowest responsible bidder of eight - Peakload Personnel Services, Inc. - Not to exceed \$7,506,662 - Financing: Current Funds (\$6,147,512) and Water Utilities Current Funds (\$1,359,150)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1416

Item 35: Authorize a thirty-six-month contract for infrastructure management system maintenance - Hansen Information Technologies, Inc. - Sole Source - Not to exceed \$96,300 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1417

Item 36: Authorize a twenty-four-month price agreement for janitorial services with the lowest responsible bidder of eight - Tolman Building Maintenance, Inc. - Not to exceed \$54,080 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1418

Item 37: Exercise the option to purchase additional heavy equipment under the same terms as previously awarded on June 23, 1999, by Resolution #99-2058 with the lowest responsible bidders of seven - W & B Service Co., Equipment Technology, Inc., Lift-All Division of Hydra-Tech, Inc. - Not to exceed \$1,018,539 - Financing: Current Funds (\$905,766); Storm Water Drainage Management Funds (\$55,046); Aviation Current Funds (\$57,727)

Approved as part of the consent agenda.\

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1419

Item 38: Authorize a twelve-month price agreement for street markings - A.S.C. Pavement Markings, Inc., lowest responsible bidder of two - Not to exceed \$398,500 - Financing: Current Funds

Councilmember Miller 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 Miller's request.

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

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1420

Item 39: Authorize an increase in the twenty-four-month price agreement with Nova Concrete Express, Inc. for mobile concrete for the Department of Street Services - Not to exceed \$1,635,821, from \$6,543,284 to \$8,179,105 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1421

Item 40: Authorize a thirty-six-month price agreement for hot applied joint sealer with the lowest responsible bidder of two - Crafcot Texas, Inc. - Not to exceed \$231,690 - Financing: Current Funds (\$215,490), Aviation Current Funds (\$16,200)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1422

Item 41: Authorize a twenty-four-month price agreement for cement and related items with the lowest responsible bidder of three - Allied Construction Supplies Corp. - Not to exceed \$247,200 - Financing: Current Funds (\$182,515), Water Utilities Current Funds (\$64,685)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1423

Item 42: Authorize a thirty-six-month price agreement for flexbase with the lowest responsible bidders of six - Big City Crushed Concrete and Martin Marietta Materials - Not to exceed \$1,392,948 - Financing: Current Funds (\$1,096,398), Water Utilities Current Funds (\$296,550)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1424

Item 43: Authorize ratification of an emergency purchase for the replacement of a 260-ton air conditioning chiller located at the Dallas Museum of Art, 1717 N. Harwood - Gulf Energy Systems, Inc., lowest responsible bidder of three - \$24,207 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1425

Item 44: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1426

Item 45: Authorize a three-year contract with First Union National Bank for paying agent/registrar services for the City of Dallas registered debt obligations issued between May 1, 2000 and April 30, 2003 with an option to extend the term for two years at the same rate - First three years not to exceed \$76,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1427

Item 46: Authorize a public hearing to be held on May 10, 2000 to receive citizens comments in preparation of the FY 2000-01 Operating, Capital, Grant and Trust budgets - Financing:
No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1428

Item 47: Authorize (1) a public hearing to be held on May 24, 2000, to receive citizen comments on re-establishing the public improvement district, known as the Uptown Public Improvement District (the "District"), for the purposes of providing supplemental public services and improvements, to be funded by assessment on real property and real property improvements located in the District; and (2) consideration at the close of the hearing of a resolution renewing and re-establishing the Uptown Public Improvement District - Financing: No cost consideration to the City

Councilmember Miller requested that consent agenda item 47 be considered as an individual item. Mayor Kirk stated that consent agenda item 47 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 47 was brought up for consideration.

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1429

Item 48: Approval of a Program Statement for the Dallas Urban Homesteading Program (HOPE III) to allow the City Manager, or his designee, to execute all documents necessary for administering the HOPE III Program, including but not limited to loan documents, modifications to loan agreements, release of liens, release of deed restrictions, and consent to certain loan transfers and assumptions - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1430

Item 49: Authorize the acceptance of \$200,000 ExxonMobil Foundation funds to provide employment, training and basic education services for low to moderate income youth ages 16 and above, and certain costs for the construction of single-family homes during the summer totaling \$185,000; and authorize an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component for \$15,000 - Not to exceed \$200,000 - Financing: 2000 ExxonMobil Foundation Funds

Councilmember Miller requested that consent agenda item 49 be considered as an individual item. Mayor Kirk stated that consent agenda item 49 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 49 was brought up for consideration.

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1431

Item 50: Authorize the City Manager, or his designee, to execute all documents necessary to administer the Neighborhood Housing Services Housing Loan Program, including but not limited to loan documents, modifications to loan agreements, release of liens, release of deed restrictions, and consent to certain loan transfers and assumptions - Financing: No cost consideration to the City

Councilmember Miller requested that consent agenda item 50 be considered as an individual item. Mayor Kirk stated that consent agenda item 50 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Miller's request.

Later in the meeting, agenda item 50 was brought up for consideration.

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Mayor Pro Tem Poss and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1432

Item 51: An ordinance amending Chapter 56 of the Dallas City Code to adopt the 1999 National Electrical Code, with local amendments - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24230.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1433

Item 52: An ordinance authorizing a CR Community Retail District on property presently zoned a TH-3(A) Townhouse District at the northeast corner of Vickery Boulevard and North Central Expressway and a resolution accepting deed restrictions volunteered by the applicant that include the subject property as well as adjoining property to the south (Z989-244/10908-C(SS) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24231.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1434

Item 53: An ordinance authorizing amendments to the Dallas Development Code, including but not limited to amendments to the non-premise sign regulations, changeable message regulations, and special provision sign district regulations - Financing: No cost consideration to the City

Mayor Pro Tem Poss and Councilmember Forsythe Lill requested that consent agenda item 53 be considered as an individual item. Mayor Kirk stated that consent agenda item 53 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss and Councilmember Forsythe Lill's request.

Later in the meeting, agenda item 53 was brought up for consideration.

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

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Poss, Mallory Caraway, Walne, Forsythe Lill abstaining; Place 8 vacant)

Assigned ORDINANCE NO. 24232.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1435

Item 54: Authorize an Interlocal Agreement with Dallas County Schools to transport participants to activities such as after-school, Send-A-Kid to Camp, therapeutic services, programs for senior citizens and various programs in the East and West Regions of the Park Department for the period of April 1, 2000 through January 1, 2001 - Not to exceed \$83,650 - Financing: Current Funds

Councilmembers Miller and Chaney requested that consent agenda item 54 be considered as an individual item. Mayor Kirk stated that consent agenda item 54 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmembers Miller and Chaney's request.

Later in the meeting, agenda item 54 was brought up for consideration.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1436

Item 55: Authorize application for a continuation law enforcement-related grant entitled Commercial Auto Theft Interdiction Squad/8 grant for a program which aids in solving crimes from the Automobile Theft Prevention Authority for the period September 1, 2000 through August 31, 2001 - Financing: This action has no cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1437

Item 56: An ordinance amending Chapter 28 of the Dallas City Code to adjust the parking rate at parking lot 1W4W located at Field Street and Woodall Rodgers Service Road -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24233.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1438

Public Hearing - **City of Dallas Reinvestment Zone No. 52**

- Item 57: * A public hearing to receive citizen comments concerning the creation of a reinvestment zone for commercial-industrial tax abatement, to be known as City of Dallas Reinvestment Zone No. 52, located at the northwest corner of N. Central Expressway and Park Lane, Dallas, Texas 75231, for the purpose of granting commercial tax abatement to Allegiance Telecom, Inc., and its lessor, NCX Office Development - Financing: No cost consideration to the City
- Item 58: * An ordinance designating property located at the northwest corner of N. Central Expressway and Park Lane, in Dallas, Texas 75231, as Reinvestment Zone No. 52 for the purpose of granting commercial tax abatement to Allegiance Telecom, Inc., and its lessor, NCX Office Development - Financing: No cost consideration to the City

The following individuals addressed the city council regarding Reinvestment Zone No. 52:

Joe Martin, 3105 Gladiolus Ln.
Jewel Floyd, 3815 Myrtle St.
William Hopkins, 2011 Leath St.

Councilmember Blumer moved to close the public hearing and deny the abatement.

Motion seconded by Councilmember Miller.

Councilmember Walne moved to substitute for Councilmember Blumer's motion a motion to close the public hearing, pass the ordinance and approve the abatement.

Motion seconded by Mayor Pro Tem Poss.

During debate on Councilmember Walne's motion, Councilmember Loza moved the previous question.

Motion seconded by Councilmember Chaney.

Mayor Kirk called the vote on Councilmember Loza's motion to end debate and proceed to an immediate vote on the pending question.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1438

Page 2

Mayor Kirk declared the previous question was ordered as two-thirds of the city council members present had voted in the affirmative with Councilmembers Miller and Blumer voting "No."

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

Voting Yes:	[12]	Kirk, Poss, Salazar, Loza, Thornton Reese, Hill, Mallory Caraway, Chaney, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[2]	Miller, Blumer
Vacant:	[1]	Place 8

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24234.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1439

Public Hearing - **City of Dallas Reinvestment Zone No. 52**

- Item 59: * Authorize the execution of real and business personal property tax abatement agreement with Allegiance Telecom, Inc. and its lessor, NCX Office Development for the purpose of granting a 10-year abatement of 75% of the taxes on added value to the business personal property for Phase I and a 10-year abatement of 50% of the taxes on added value to the real property and 75% of the taxes on added value to the business personal property for Phase II within City of Dallas Reinvestment Zone No. 52 at the northeast corner of N. Central Expressway and Park Lane, Dallas, Texas 75231; and (2) 100% development fee rebates to Allegiance Telecom, Inc. in an amount not to exceed \$60,000 - Phase I: Revenue: First year tax revenue estimated at \$10,013; Ten-year revenue is estimated at \$100,125; (Estimated foregone revenue over ten-years \$300,375); Phase II: Revenue: First year tax revenue estimated at \$75,094; Ten-year revenue is estimated at \$1,351,689; (Estimated foregone revenue over ten-years \$1,652,061) - \$60,000 - Financing: Public/Private Partnership Funds

The following individuals addressed the city council regarding Reinvestment Zone No. 52:

Joe Martin, 3105 Gladiolus Ln.
Jewel Floyd, 3815 Myrtle St.
William Hopkins, 2011 Leath St.

Councilmember Blumer moved to close the public hearing and deny the abatement.

Motion seconded by Councilmember Miller.

Councilmember Walne moved to substitute for Councilmember Blumer's motion a motion to close the public hearing, pass the ordinance and approve the abatement.

Motion seconded by Mayor Pro Tem Poss.

During debate on Councilmember Walne's motion, Councilmember Loza moved the previous question.

Motion seconded by Councilmember Chaney.

Mayor Kirk called the vote on Councilmember Loza's motion to end debate and proceed to an immediate vote on the pending question.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1438

Page 2

Mayor Kirk declared the previous question was ordered as two-thirds of the city council members present had voted in the affirmative with Councilmembers Miller and Blumer voting "No."

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

Voting Yes:	[12]	Kirk, Poss, Salazar, Loza, Thornton Reese, Hill, Mallory Caraway, Chaney, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[2]	Miller, Blumer
Vacant:	[1]	Place 8

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24234.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1440

Public Hearing

Item 60: A public hearing to receive citizen comments on the renewal of the Dallas juvenile curfew ordinance that originated May 1, 1994 and consideration of an ordinance re-adopting and continuing in effect the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Dallas juvenile curfew ordinance:

Jewel Floyd, 3815 Myrtle St.
William Hopkins, 2011 Leath St.
Jean Houser, 5103 Cardiff St.

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Place 8 vacant)

Assigned ORDINANCE NO. 24235.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1441

PUBLIC HEARING – CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 61-66 was presented.

Agenda item 65 was removed from the consent zoning docket, to be considered as an individual hearing.

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

- Agenda item 61: Zoning Case Z967-221-8401-NC(KC)
- Agenda item 62: Zoning Case Z990-135/11089-SE(BP)
- Agenda item 63: Zoning Case Z990-136/1446-NE(BP)
- Agenda item 64: Zoning Case Z990-137/11090-C(BP)
- ~~Agenda item 65: Zoning Case Z990-142/9340-NE(FD)~~ [Considered individually]
- Agenda item 66: Zoning Case Z990-142/9340-NE(FD)

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

The following individual addressed the city council regarding Zoning Case Z990-136/1446-NE(BP):

Mary Brown, 1540 Chenault St.

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.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1442

Item 61: Zoning Case Z967-221/8401-NC(KC)

Zoning Case Z967-221/8401-NC(KC), an application to terminate the existing deed restrictions on property presently zoned CR Community Retail District located on the northwest corner of Frankford Road and Midway Road, and a resolution authorizing acceptance of an instrument terminating the existing deed restrictions.

(The city plan commission recommended approval of the termination of the existing deed restrictions.)

Approved as part of the consent zoning docket.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1443

Item 62: Zoning Case Z99-135/11089-SE(BP)

Zoning Case Z990-135/11089-SE(BP), an application for and an ordinance granting a Specific Use Permit for a Motor Vehicle Fueling Station on property presently zoned Subdistrict 5 for Commercial and Retail uses within Planned Development District No. 533 on Elam Road, west of C. F. Hawn Freeway.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24236.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1444

Item 63: Zoning Case Z990-136/1446-NE(BP)

Zoning Case Z990-136/1446-NE(BP), an application for and an ordinance granting an LI Light Industrial District on property presently zoned an LO-1 Limited Office District on Chenault Street, west of Buckner Boulevard.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24237.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1445

Item 64: Zoning Case Z990-137/11090-C(BP)

Zoning Case Z990-137/11090-C(BP), an application for and an ordinance granting an MU-1 Mixed Use District on property presently zoned a CR Community Retail District and a resolution authorizing deed restrictions volunteered by the applicant at the south corner of Gaston Avenue and East Grand.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24238.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1446

Item 65: Zoning Case Z990-140/8760-C(FD)

The consent zoning docket, consisting of agenda items 61-66, was presented.

Councilmember Forsythe Lill requested that consent zoning docket item 65 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 65 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Forsythe Lill's request.

Later in the meeting, zoning docket item 65 was brought up for consideration.

A public hearing was called on zoning case Z990-140/8760-C(FD), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1191 for a Child-care Facility, Foster Home, and Nursing Home Uses on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in order to terminate the Child-care and Nursing Home Uses, retain the Foster Home Use, and add a Public or Private School Use and a Community Service Center Use at the southwest corner of Knight Street and Brown Street.

(The city plan commission recommended approval.)

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

Councilmember Forsythe Lill moved to postpone the application until the May 10, 2000 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Loza and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1447

Item 66: Zoning Case Z990-142/9340-NE(FD)

Zoning Case Z990-142/9340-NE(FD), an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1140 for a Utility or Government Installation Other Than Listed for a municipal service center on property presently zoned a MU-3 Mixed Use District west of Greenville Avenue on Worcola Street.

(The city plan commission recommended approval.

Assigned ORDINANCE NO. 24239.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1448

Item 67: Public Hearing – Zoning Case Z989-281-10964-NW(BP)

A public hearing was called on zoning case Z989-281-10964-NW(BP), an application for a Specific Use Permit for a Public or Private School on property presently zoned an R-10(A) Single Family District located at the south corner of Webb Chapel Road and Assembly Court.

(The city plan commission recommended denial.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1449

Item 68: Public Hearing – Zoning Case Z990-115/11051-SE(BP)

A public hearing was called on Zoning Case Z990-115/11051-SE(BP), an application for and an ordinance granting an IR Industrial Research District and a Specific Use Permit for an Industrial (outside) use and a resolution authorizing acceptance of deed restrictions volunteered by the applicant on property presently zoned an A(A) Agricultural District south of Plainview Drive and Dowdy Ferry Road.

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

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

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

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

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Mallory Caraway abstaining; Kirk absent when vote taken; Place 8 vacant)

Assigned ORDINANCE NO. 24240 and ORDINANCE NO. 24241.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1450

Item 69: Public Hearing - Zoning Case Z990-138/11091-NW(BP)

A public hearing was called on Zoning Case Z990-138/11091-NW(BP), an application for a Specific Use Permit for a Commercial Amusement (inside) use and an Alcoholic Beverage Establishment on property presently zoned a CR Community Retail District on the northwest corner of Overlake Drive and Webb Chapel Extension.

(The city plan commission recommended denial without prejudice.)

Appearing in opposition to the city plan commission recommendation:

William Hopkins, 2011 Leath St.
Jewel Floyd, 3815 Myrtle St.

Appearing in favor of the city plan commission recommendation:

Linda Neel, 2927 Kindale Dr., representing Bachman Northwest Community Association
Elizabeth Perez, 2120 E. Northwest Highway
Mary Lou Zijderfeld, 10140 Rock Moore Ct.

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

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1451

Item 70: Public Hearing - STREET NAME CHANGE

Application for and an ordinance granting a street name change from First Continental Place to Chuck Taylor Drive on the west side of South Hampton Road and Marvin D. Love Freeway at the southeast boundary of Redbird Airport, adjacent to the Police Helicopter Unit/.

(The city plan commission recommended approval.)

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

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

Motion seconded by Councilmember Chaney and unanimously adopted. (Place 8 vacant)

Assigned ORDINANCE NO. 24242.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1452

00-1453

Item 71: 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 April 26, 2000.

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.

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

Motion seconded by Councilmember Loza and unanimously adopted. (Place 8 vacant)

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

00-1470 CPR DALLAS CITIZENS POLICE REVIEW BOARD

00-1471 PLA PERMIT AND LICENSE APPEAL BOARD

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1454

Item 72: Authorize a twenty-four-month price agreement for batteries and flashlights with the lowest responsible bidders - LBI Electro-Optics Corp., Batteries Plus, Interstate Battery System of America, Bluebonnet Supply, Wesco, and Wholesale Electronic Industrial Supply - Not to exceed \$286,037 - Financing: Water Utilities Current Funds (\$133,860) and Current Funds (\$152,177) (**Tie Bids**)

In accordance with Section 271.901 of the Texas Local Government code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

The city secretary announced that the name of the tying bidders had been placed in a sealed envelope. Mayor Kirk drew the name of the winning bidder from the two names in the envelope.

The city secretary announced the successful bidders as determined in the drawing, was:

Line Item 4 – Interstate Battery System of America
Line Item 19 – Wesco

Deputy Mayor Pro Tem Salazar moved to award the price agreement to Interstate Battery System of America and Wesco.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1455

Item 73: Authorize a thirty-six-month price agreement for various service station supplies with the lowest responsible bidders of four - Midway Auto Supply Co., McGee-Paris Rubber Supply, Robertson Fleet Service, Inc., and Wallace Wade Wholesale Tire - Not to exceed \$675,000 - Financing: Water Utilities Current Funds (\$65,000), Current Funds (\$610,000) (**Tie Bids**)

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

In accordance with Section 271.901 of the Texas Local Government code, the successful bidder in each case would be selected by casting lots, in the form of a drawing.

The city secretary announced that the name of the tying bidders had been placed in a sealed envelope. Mayor Kirk drew the name of the winning bidder from the two names in the envelope.

The city secretary announced the successful bidder as determined in the drawing, was:

Line Item 4 – Midway Auto Supply Co.

Deputy Mayor Pro Tem Salazar moved to award the price agreement to Midway Auto Supply Co.

Motion seconded by Councilmember Walne and unanimously adopted. (Miller abstaining; Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1456

Item 74: Authorize a readoption of the City of Dallas *Public/Private Partnership Program* Guidelines and Criteria through September 30, 2000 or until superseded by an amendment to the *Public/Private Partnership Program* to continue in effect the Guidelines and Criteria adopted May 13, 1998, pursuant to Resolution No. 98-1419 which governs the City's use of tax abatement as specified under the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A., Tax Code Chapter 312) and other certain business incentives intended to promote private investment, tax base growth and job creation - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1457

Item 75: An ordinance amending Chapter 2 of the Dallas City Code to provide for an increase in the City Manager's authority to approve change orders on competitively bid contracts up to \$25,000; and making other nonsubstantive revisions in wording -
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. (Place 8 vacant)

Assigned ORDINANCE NO. 24243.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1458

Item 76: A resolution reappointing Robert Wayne Melton as City Auditor for a two-year term, effective April 12, 2000 - \$143,272 - Financing: Current Funds

During discussion, Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Finkelman moved to approve the resolution.

Motion seconded by Councilmember Greyson.

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

Voting Yes:	[11]	Kirk, Poss, Salazar, Loza, Miller, Chaney, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[3]	Thornton Reese, Hill, Mallory Caraway
Vacant:	[1]	Place 8

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1459

Item 77: A resolution imposing a moratorium on (1) the acceptance of applications for dance hall licenses, late hours permits for dance halls or building permits for dance halls as defined in Chapter 14 of the Dallas City Code; (2) acceptance of applications for certificates of occupancy for commercial amusement (inside) uses to be operated as dance halls as defined in Chapter 14 of the Dallas City Code; (3) the acceptance of applications for or issuance of sexually oriented business licenses or building permits for sexually oriented businesses as defined in Chapter 41A of the Dallas City Code; (4) the acceptance of applications for or issuance of certificates of occupancy for commercial amusement (inside) uses to be operated as sexually oriented businesses as defined in Chapter 41A of the Dallas City Code; and directing the City Manager to prepare recommendations for the City Council regarding amendments to the Dallas City code on or before August 24, 2000 (Mayor Pro Tem Poss, Councilmembers Loza, Chaney, Blumer, Finkelman, Miller, and Forsythe Lill)

During discussion, Mayor Kirk called a recess of the meeting in order that the city council could meet in executive session under Section 51.071 of the Texas Government Code (Open Meetings Act) to confer with the city attorney.

Following the executive session the city council reconvened in open session.

Councilmember Loza moved to approve the resolution.

Motion seconded by Councilmember Blumer and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1472

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)
- 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
- Jill Muncy, Pamela Walt, Donald Whitten, and Douglas Kowalski v. City of Dallas, Texas, and Chief of Police Terrell Bolton, in His Individual and Official Capacities, Civil Action Number 3:99-CV-2960-X
- MD, II v. City of Dallas, et al., DV98-01880-D
- MD, II v. City of Dallas, et al., DV98-08343-B
- MD, II Entertainment, Inc. v. City of Dallas, et al., DV97-08254-J
- MD, II Entertainment, Inc. v. City of Dallas, et al., 99-00755-L
- D Burch, Inc. v. City of Dallas, et al., DV98-02710-L
- D Burch, Inc. v. City of Dallas, et al., 97-06039-J
- D Burch, Inc. v. City of Dallas, et al., DV99-00756-D
- D Burch, Inc. v. City of Dallas, et al., DV98-08344-F
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08343-B
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-G
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-L
- ERAF Corporation v. City of Dallas, et al., DV98-02501-A
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-E
- Northwest Investments v. City of Dallas, et al., DV98-05801-E

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1472

Page 2

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.)

- City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, Texas et al., Cause No. 48-171109-97
- MD, II v. City of Dallas, et al., DV98-01880-D
- MD, II v. City of Dallas, et al., DV98-08343-B
- MD, II Entertainment, Inc. v. City of Dallas, et al., DV97-08254-J
- MD, II Entertainment, Inc. v. City of Dallas, et al., 99-00755-L
- D Burch, Inc. v. City of Dallas, et al., DV98-02710-L
- D Burch, Inc. v. City of Dallas, et al., 97-06039-J
- D Burch, Inc. v. City of Dallas, et al., DV99-00756-D
- D Burch, Inc. v. City of Dallas, et al., DV98-08344-F
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-08343-B
- Allen-Burch, Inc. v. City of Dallas, et al., DV98-01118-G
- Allen-Burch, Inc. v. City of Dallas, et al., DV99-00754-L
- ERAF Corporation v. City of Dallas, et al., DV98-02501-A
- Northwest Entertainment v. City of Dallas, et al., DV98-05799-E
- Northwest Investments v. City of Dallas, et al., DV98-05801-E

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1460

Addendum addition 1: A resolution evidencing the City's intent to consider at its May 24, 2000 City Council meeting an economic development grant in an amount not to exceed \$1,200,000 to the City of Dallas Business Development Corporation for the development of public infrastructure improvements including an entrance road, utilities and water wells supporting an 18 hole - 6,800 yard golf course to be built at Redbird Airport, such future approval conditional upon completion of the City's due diligence review of the project (Deputy Mayor Pro Tem Salazar, Councilmembers Hill, Thornton-Reese, Loza, Chaney, and Mallory Caraway)

Councilmember Thornton Reese moved to approve the resolution.

Motion seconded by Councilmember Hill and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1461

Addendum addition 2: Authorize (1) a Settlement and General Release between the City and Theatre Operating Company, Inc. (TOC), whereby TOC shall transfer \$1,312,000, to the City of Dallas, (\$270,000 of which shall be used exclusively for the maintenance of the Fair Park Music Hall and the Majestic Theater, \$975,000 shall be used to contract for specific cultural and educational services and the remainder shall be used in support of city cultural activities) (2) cultural services contracts in various amounts with specific cultural, educational and civic organizations (list attached) and (3) an increase in appropriations in the Office of Cultural Affairs budget in an amount not to exceed \$1,312,000 - \$1,312,000 - Financing: TOC Funds

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 Loza moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Forsythe Lill abstaining; Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1462

Addendum addition 3: Authorize a contract for the construction of street paving, landscaping, parking, traffic signal, storm drainage, water and wastewater main improvements for the Hampton/Westmoreland Area A Improvements - Gibson & Associates, Inc., lowest responsible bidder of two - \$1,730,233 - Financing: Neighborhood Renaissance Partnership Section 108 Notes (\$1,482,348), Water Utilities Capital Construction Funds (\$247,885)

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Greyson and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1463

Addendum addition 4: Authorize (1) a contract for the construction of street paving, storm drainage, landscaping, streetscaping, water and wastewater main improvements and related improvements for Houston Street from Main Street to McKinney Avenue, Houston Street from McKinney Avenue to north of Wichita Street, Continental Avenue from Railtran to McKinney Avenue, Wichita Street from southbound Houston Street to Harry Hines Boulevard, Lamar Street from Railtran to McKinney Avenue, Ross Avenue from Record Street to Houston Street, McKinney Avenue improvements adjacent to Houston Street - Ed Bell Construction Company, lowest responsible bidder of seven in the amount of \$14,827,098, (2) the amount of \$1,952,599 for construction administration, and project costs including design and material testing to Center Operating Company, L.P., (3) assignment of the construction contract to Center Operating Company, L.P., and (4) increase appropriations in the amount of \$1,169,939 - \$16,779,697 - Financing: 1998 Bond Funds (\$5,092,563), Water Utilities Capital Improvement Funds (\$1,825,885), Water Utilities Capital Construction Funds (\$91,310), Private Funds (\$9,769,939 advance from Center Operating Company, L.P., of which \$8,600,000 will be reimbursed to Center Operating Company, L.P. from Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas, Sports Arena TIF District Funds)

Mayor Pro Tem Poss announced that she had a conflict on interest and would abstain from voting or participating in any discussion. Mayor Pro Tem Poss left the city council chamber.

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill.

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

Mayor Kirk declared the motion adopted on divided voice vote, with Councilmember Blumer voting "No." (Poss abstaining; Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1464

Addendum addition 5: Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Strasburger & Price, L.L.P., for additional legal services necessary in the lawsuit, styled City of Dallas v. Transcontinental Realty Investors, Inc., et al, Cause No. cc-99-03125-a, and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$100,000, increasing the original contract total from \$250,000 to \$350,000 - Financing: Hillwood Development Corporation

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1465

Addendum addition 6: Authorize a professional services contract with Diversified Utility Consultants, Inc., for services related to TXU Gas Distribution's Petition for Review of Dallas Rate Decision filed with the Railroad Commission, and any other proceedings relating to this appeal - Not to exceed \$100,000 - Financing: Current Funds (to be fully reimbursed by TXU Gas Company)

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Forsythe Lill.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Councilmember Loza voting "No". (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1466

Addendum addition 7: Authorize a professional services contract with the law firm of Webb & Webb for legal services related to TXU Gas Distribution's Petition for Review of Dallas' Rate Decision filed with the Railroad Commission, and any other proceedings relating to this appeal - Not to exceed \$355,000 - Financing: Current Funds (to be reimbursed by TXU Gas Company)

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1467

Addendum addition 8: Authorize Interlocal Agreements and leases with the cities of Rockwall, Garland, and Rowlett for the management of areas adjacent to Lake Ray Hubbard - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1468

Addendum addition 9: Authorize a thirty-six-month multiple award price agreement for fuel with the lowest responsible bidders of five - Lisa Hare and PNI Distributor - Not to exceed \$16,521,871- Financing: Current Funds

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Chaney and unanimously adopted. (Place 8 vacant)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1469

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 councilmember 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, APRIL 26, 2000

EXHIBIT C

4/27/00 10:45 am
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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, APRIL 26, 2000

00-1379

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

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

ABSENT: [0]

VACANT: [1] Place 8

CORRECTION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 26, 2000

00-1439

Public Hearing - **City of Dallas Reinvestment Zone No. 52**

- Item 59: * Authorize the execution of real and business personal property tax abatement agreement with Allegiance Telecom, Inc. and its lessor, NCX Office Development for the purpose of granting a 10-year abatement of 75% of the taxes on added value to the business personal property for Phase I and a 10-year abatement of 50% of the taxes on added value to the real property and 75% of the taxes on added value to the business personal property for Phase II within City of Dallas Reinvestment Zone No. 52 at the northeast corner of N. Central Expressway and Park Lane, Dallas, Texas 75231; and (2) 100% development fee rebates to Allegiance Telecom, Inc. in an amount not to exceed \$60,000 - Phase I: Revenue: First year tax revenue estimated at \$10,013; Ten-year revenue is estimated at \$100,125; (Estimated foregone revenue over ten-years \$300,375); Phase II: Revenue: First year tax revenue estimated at \$75,094; Ten-year revenue is estimated at \$1,351,689; (Estimated foregone revenue over ten-years \$1,652,061) - \$60,000 - Financing: Public/Private Partnership Funds

The following individuals addressed the city council regarding Reinvestment Zone No. 52:

Joe Martin, 3105 Gladiolus Ln.
Jewel Floyd, 3815 Myrtle St.
William Hopkins, 2011 Leath St.

~~Councilmember Blumer moved to close the public hearing and deny the abatement.~~

~~Motion seconded by Councilmember Miller and unanimously adopted. (Place 8 vacant)~~

Councilmember Walne moved to substitute for Councilmember Blumer's motion a motion to close the public hearing, pass the ordinance and approve the abatement.

Motion seconded by Mayor Pro Tem Poss.

During debate on Councilmember Walne's motion, Councilmember Loza moved the previous question.

Motion seconded by Councilmember Chaney.

Mayor Kirk called the vote on Councilmember Loza's motion to end debate and proceed to an immediate vote on the pending question.

4/27/00 10:45 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1438

Page 2

Mayor Kirk declared the previous question was ordered as two-thirds of the city council members present had voted in the affirmative with Councilmembers Miller and Blumer voting “No.”

Mayor Kirk then called the vote on Councilmember’s Walne motion:

Voting Yes:	[12]	Kirk, Poss, Salazar, Loza, Thornton Reese, Hill, Mallory Caraway, Chaney, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[2]	Miller, Blumer
Vacant:	[1]	Place 8

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24234.