

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2000

00-1630

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

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

ABSENT: [0]

The meeting was called to order at 9:28 a.m.

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

The invocation was given by Rev. Roy H. Harrell, Thanksgiving Square.

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 5:45 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.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2000

EXHIBIT A

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 24, 2000

EXHIBIT B

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1631

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: Roy Williams, 5881 Preston View Road.
REPRESENTING: Forty Acres And A Mule
SUBJECT: Cadillac Heights/Without Sanctuary

SPEAKER: Anna Albers, 201 N. Edgefield Ave.
REPRESENTING: Citizens For A Safe Environment
SUBJECT: Cadillac Heights

CANCELED

SPEAKER: Pearlie Taplin, 7471 Scheeps Pkwy.
SUBJECT: Proclamation from President of U.S. to Councilmember Leo Chaney, Jr.

SPEAKER: Sandra Crenshaw, 1431 Quartet Dr.
SUBJECT: Public Safety, Is Commissioner John Wiley Price policing DPD, Putting park Department under City Manager to save Tax money for pools

SPEAKER: Schanda Thorn, 1207 Lima St.
SUBJECT: Unlawful firing, Councilmember James Fantroy

ADDITIONAL OPEN MICROPHONE - BEGINNING OF MEETING:

SPEAKER: Bonnie Hurd, 3104 Peavy Rd.
SUBJECT: Cruelty to Senior Citizens and Handicap

OPEN MICROPHONE – END OF MEETING:

SPEAKER: Albert Parker, 9647 Oak Gate Ln. **CANCELED**
REPRESENTING: John Q. Public
SUBJECT: Unfair appointments to Housing Finance Corporation

SPEAKER: Leonard Cain, 1025 Shoreview Rd.
SUBJECT: Thy Wishful Master prayer for cold and rainy weather

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Corruption: President Clinton, Attorney Fred Barron, EPA, DISD, RSR Lead Smelter, City Council

SPEAKER: Leiwanda Stoker, 4431 W. Red Bird Ln. **NO SHOW**
SUBJECT: Erosion and rainwater run off

SPEAKER: Tom Gibbons, 7947 Cliffbrook Dr.
SUBJECT: Taxis

SPEAKER: Jewel Floyd, 3815 Myrtle St.
SUBJECT: Minyard Foods & Pharmacy on MLK Blvd., Senior Citizen's Rights, Manager Ron Lane, Chief Bolton

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: Malcolm X Community Council
SUBJECT: History will absolve me

SPEAKER: Jurline Hollins, 2832 Marjorie Ave.
SUBJECT: Taxation Without Representation, Commissioner John W. Price and Police Department not making an arrest, Councilmember Laura Miller is not concerned about black children or poor children

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1632

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of May 10, 2000, were presented for approval.

Councilmember Loza moved to approve the minutes.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1633

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-44, was presented for consideration.

Councilmember Blumer requested that consent agenda items 2 and 28 be considered as individual items. Mayor Kirk stated that consent agenda items 2 and 28 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Blumer's request.

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

Mayor Pro Tem Poss requested that consent agenda item 13 be considered as an individual item. Mayor Kirk stated that consent agenda item 13 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss' request.

Councilmember Greyson 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 voided to Councilmember Greyson's request.

Councilmember Thornton Reese moved to approve all items on the consent agenda with the exception of agenda items 2, 4, 13, 17 and 28 to be considered later in the meeting.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1634

Item 2: Authorize a contract for the construction of street paving, storm drainage, bridge, pedestrian bridge, water and wastewater main improvements on Eastridge Drive from Skillman Street to Park Lane - Rebcon, Inc., lowest responsible bidder of four - \$3,733,972 - Financing: 1998 Bond Funds (\$3,071,717), Water Utilities Capital Improvement Funds (\$616,405), Water Utilities Capital Construction Funds (\$45,850)

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

Later in the meeting, agenda item 2 was brought up for consideration.

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1635

Item 3: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Patonia Avenue from Arden Road to Ledbetter Drive - Jeske Construction Company, lowest responsible bidder of five - \$471,735 - Financing: 1998 Bond Funds (\$326,483), Water Utilities Capital Improvement Funds (\$136,557), Water Utilities Capital Construction Funds (\$8,695)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1636

Item 4: Authorize a contract for the construction of miscellaneous bridge repairs at various locations - Architectural Utilities, Inc., lowest responsible bidder of five - \$304,200 - Financing: 1985 Bond Funds

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

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

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1637

Item 5: 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

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1638

Item 6: Authorize an Interlocal Agreement with Dallas County for the construction of structural repairs on the existing retaining walls of the Westmoreland/Mockingbird bridge over the Trinity River - \$216,679 - Financing: 1985 Bond Funds (\$200,000), 1995 Bond Funds (\$16,679) (\$200,000 to be reimbursed by Dallas County)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1639

Item 7: Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for permanent traffic control devices at the intersection of Spur 303 (Kiest Boulevard) and Spur 408 (Patriot Parkway) - \$10,989 - Financing: Texas Department of Transportation Grant Funds

Approved as part of the consent agenda.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1640

Item 8: Authorize a lease amendment to extend the lease term with Greater Dallas Realty Capital, L.P. for 7 years for the Police Academy at 5310 Red Bird Center Drive to be used by the Police Training Academy - August 1, 2000 - July 31, 2003: \$37,500 per month, August 1, 2003 - July 31, 2005: \$36,000 per month, August 1, 2005 - July 31, 2007: \$35,000 per month, plus additional annual rent of \$18,000 for maintenance and ad valorem taxes during the 7-year term not to exceed \$656,571 - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1641

Item 9: An ordinance granting a private license to Dallas Theological Seminary for the use of approximately 392 square feet of land to install and maintain subsurface communication cables under portions of Apple Street, Swiss Avenue and St. Joseph Street rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1642

Item 10: An ordinance granting a revocable license to Sealand II Corporation d/b/a Texas de Brazil, for the use of approximately 405 square feet of land to install and maintain steel gas lamps in Woodrow Street and Cedar Springs Road rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24259.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1643

Item 11: An ordinance granting a private license to Westdale Properties America I, Ltd. for the use of approximately 65 square feet of land to maintain an awning and an aerial sign over a portion of Commerce Street right-of-way located near its intersection with Trunk Avenue - Revenue: \$1,000 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24260.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1644

Item 12: An ordinance abandoning a portion of Beauregard Drive to Intercity Investment Properties, Inc., the abutting owner, containing approximately 8,250 square feet of land located at its intersection with Bandera Avenue, and authorizing the quitclaim - Revenue: \$77,138 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1645

Item 13: An ordinance amending Ordinance No. 23950 to correct the legal description of the closure and vacation area of a portion of Flynn Street, located near its intersection with Alamo Street - Financing: No cost consideration to the City

Mayor Pro Tem Poss requested that consent agenda item 13 be considered as an individual item. Mayor Kirk stated that consent agenda item 13 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Poss's request.

Later in the meeting, agenda item 13 was brought up for consideration.

Mayor Pro Tem Poss announced that she had a conflict of 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 Finkelman and unanimously adopted. (Poss abstaining)

Assigned ORDINANCE NO. 24262.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1646

Item 14: An ordinance granting renewal of a private license to C.G.H. Properties Corporation for the use of approximately 1,533 square feet of land to maintain an existing subsurface basement, light shaft, ventilating shaft and sidewalk lift under Stone Place and Main Street rights-of-way - Revenue: \$3,587 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 24263.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1647

Item 15: Authorize an agreement between the D-FW Airport Board and the United States of America, through the Federal Aviation Administration, that will allow the Airport Board to transfer ownership to the United States of America, improvements consisting of 4 Precision Approach Path Indicator (PAPI) runway approach aids installed at a cost of \$755,794 to be operated by the FAA in accordance with provisions of a ground lease approved by the Airport Board - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1648

Item 16: Authorize a three-year lease agreement with Pan Coastal Limited Partnership for approximately 24,200 square feet of office space and parking located at 100 N. Central Expressway for the continued use by the Police Department - \$27,225 per month not to exceed \$980,100 for three-year lease - Financing: Current Funds (\$490,050) and Confiscated Money Funds (\$490,050)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1649

Item 17: Authorize a professional services contract with IBM Corporation to perform a Payroll/Human Resource needs assessment and develop a Request for Competitive Sealed Proposal to solicit proposals for a new Payroll/Human Resource system - Not to exceed \$180,000 - Financing: Current Funds

Councilmember Greyson 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 Greyson's request.

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

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

Councilmember Finkelman moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted. (Greyson abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1650

Item 18: Authorize a twenty-four-month price agreement for liquid oxygen with the lowest responsible bidder of five - BOC Gases - Not to exceed \$1,289,480 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1651

Item 19: Authorize rescinding the contract with Jani-King of Dallas awarded by City Council on February 23, 2000, pursuant to Resolution No. 00-0647, and award to the lowest responsible bidder of four - Oriental Building Services - Not to exceed \$1,508,142 - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1652

Item 20: Authorize a thirty-six-month price agreement for emergency lights and parts with the lowest responsible bidders of seven - Belsco, Inc., Dallas Public Safety Supply, Inc., Earl Owen Company, Inc., G.T. Distributors, Inc. - Not to exceed \$710,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1653

Item 21: Authorize a thirty-six-month contract for alarm monitoring and maintenance with the lowest responsible bidders of four - ASG Monitoring, Inc. and Quality Alarm Services - Not to exceed \$167,312 - Financing: Current Funds (\$147,188); Water Utilities Current Funds (\$14,940); Texas Department of Health - Women, Infant and Children Grant Funds (\$5,184)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1654

Item 22: Authorize a twenty-four-month multiple award price agreement for computer paper and forms with the lowest responsible bidders of nine - Wallace Computer Services, Advanced Business Graphics, Inc., O.E.I. Business Forms, B-N-B Systems, Inc., and Berndt Business Forms, Inc. - Not to exceed \$1,070,301 - Financing: Current Funds (\$1,037,337), Water Utilities Current Funds (\$29,755), Building Inspection Current Funds (\$3,209)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1655

Item 23: Authorize a thirty-six-month price agreement for International truck parts and labor with the lowest responsible bidder of two - Masters International, Inc. - Not to exceed \$2,220,000 - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1656

Item 24: Authorize (1) the purchase of five Suburbans from the lowest responsible bidder of two - Classic Chevrolet, Inc.; (2) the rejection of the only bid received for diagnostic machines; and (3) the readvertisement for new bids - Not to exceed \$147,852 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1657

Item 25: Authorize the purchase of two manhole rehabilitation machines from the lowest responsible bidder of three - Wade Industries, Inc. - Not to exceed \$99,780 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1658

Item 26: Authorize the purchase of particle counter sensors from Pacific Scientific Instruments - Sole Source - Not to exceed \$119,193 - Financing: Water Utilities Current Funds (\$69,496); Water Construction Funds (\$49,697)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1659

- Item 27: Authorize a thirty-six-month price agreement for sanitary sewer cleaning and television inspection services to view the condition of the wastewater collection system with the lowest responsible bidder of six - Spelunker Pipeline Services, Inc.
- Not to exceed \$1,330,400 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1660

Item 28: Authorize the purchase of 5,800 admission tickets to Six Flags Hurricane Harbor for the summer youth programs - Sole Source - Not to exceed \$86,568 - Financing: Current Funds (\$75,775) and Walker Consent Decree Funds (\$10,793)

Councilmember Blumer requested that consent agenda item 28 be considered as an individual item. Mayor Kirk stated that consent agenda item 28 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Later in the meeting, agenda item 28 was brought up for consideration.

Councilmember Mallory Caraway moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1661

Item 29: Authorize the purchase of a closed circuit television sewer system - CUES, Inc., only bidder - Not to exceed \$225,000 - Financing: Storm Water Drainage Management Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1662

Item 30: Authorize the ratification of emergency purchases of gasoline and diesel fuel - Truman Arnold Companies and Sun Coast Resources, Inc. - \$638,000 - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1663

Item 31: Authorize settlement of a lawsuit, styled Melissa D. Kunkel v. City of Dallas, Cause No. cc-99-00478-c - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1664

Item 32: Authorize settlement of a lawsuit, styled Nelda Nunn Womack v. City of Dallas and Porter Frazier Turner, Cause No. cc-98-08889-c - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1665

Item 33: Authorize settlement of a lawsuit, styled Maria Marquez v. John Dixon and Desi Tanner, Cause No. 3:99-CV-0039-BD - Financing: Current Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1666

Item 34: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1667

Item 35: A resolution denying TXU Electric Company's application for proposed revisions to 27 of its optional retail rate schedules for electric service as filed on January 25, 2000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1668

Item 36: Authorize (1) a public hearing to be held on June 14, 2000 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 53, located at 4012 W. Illinois in Dallas, Texas; (2) the consideration of an ordinance creating City of Dallas Reinvestment Zone No. 53 on June 14, 2000; (3) the consideration of a real property tax abatement and (4) a 100% development fee rebate for Crash Rescue Equipment Service, Inc. in an amount not to exceed \$15,000 on June 14, 2000 - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1669

Item 37: Authorize (1) a real property tax abatement agreement with Ross Akard Acquisition, L.P., NeXcomm Property Advisors, LLC for the purpose of granting a five-year abatement of 50% of the taxes on added value to real property for the creation of building space promoting the development of high tech users in City of Dallas Enterprise Zone One located at 1807 Ross Avenue, 1818 Akard Street and 1900 Akard Street, Dallas, Texas 75201; and (2) a 100% development fee rebate to Ross Akard Acquisition, L.P., in an amount not to exceed \$80,000 - Revenue: First year tax revenue estimated at \$42,202 Five-year tax revenue estimated at \$211,013 (Estimated revenue foregone for five-year abatement \$211,013) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1670

Item 38: Authorize a loan to Jaime Tamayo dba Tamex Investments, Inc. to be used for property acquisition and facility improvements, located in the South Dallas/Fair Park Trust Fund target area - \$40,000 - Financing: South Dallas/Fair Park Trust Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1671

Item 39: Authorize a loan to Richard McFarland dba McFarland Gardens to be used to expand McFarland Gardens and to purchase additional equipment, located in the South Dallas/Fair Park Trust Fund service area - \$50,000 - Financing: South Dallas/Fair Park Trust Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1672

Item 40: Authorize an extension to the contract with SSP Consulting, L.C., to provide Surety Support Program services for the period of June 1, 2000 through September 30, 2000 - Not to exceed \$91,118, from \$273,353 to \$364,471 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1673

Item 41: Authorize the reconstruction on site of four homes in accordance with the Home Improvement Loan Program Statement requirements for properties located at 2922 Pine Street, 2719 Roberta Street, 2534 Carpenter Avenue and 219 South Oak Cliff Boulevard - Not to exceed \$175,000 - Financing: Neighborhood Renaissance Partnership Program Section 108 Notes (\$131,250), and 1999-00 HOME Funds (\$43,750)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1674

Item 42: Authorize a public hearing to be held on June 14, 2000, to receive citizen comments and authorize Council action on June 14, 2000, on readopting and continuing in effect Chapter 12, A City Youth Program Standards of Care, @ of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law - Financing: No cost consideration to the City

Approved as part of the consent agenda.

06/01/00 10:26 am
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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1675

Item 43: Authorize a snack vending concession contract with Tom's Foods, Inc. and a drink vending concession contract with Dr Pepper Bottling Company of Texas for the twenty-two community swimming pools for five pool seasons beginning May 26, 2000 through September 30, 2004 - Estimated annual revenue: \$5,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1676

Item 44: Authorize an Interlocal Agreement with Trinity River Authority of Texas, City of Houston, North Texas Municipal Water District and Tarrant Regional Water District to conduct a study of the water availability in the Trinity River Basin - \$42,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1677

Public Hearing - **TCI Cablevision of Dallas, Inc., dba AT&T Cable Services**

- Item 45: * A public hearing to receive citizens comments regarding the establishment of approved basic service tier and equipment rates for cable television services provided by TCI Cablevision of Dallas, Inc., dba AT&T Cable Services - Financing: No cost consideration to the City
- Item 46: * An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc., dba AT&T Cable Services, for basic service tier and installation and equipment charges - Financing: No cost consideration to the City

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

Alex Burton, 1914 Kessler Pkwy.
David Molina, 6234 Oram St.
Roy Williams, 5881 Preston View Blvd.
Rosemary Nansuch, 4823 Berridge Ln.
Mary Warner, 504 Town Creek Dr.
Mae Seeley, 5636 W. Hanover Ave.
Francisco Ramirez, 2947 Shelby Ave.
Francisco Philiber, 4306 W. Lovers Ln.
Dick Kirby, 5800 Sandshell Crt. Fort Worth
Billy Scott, 2550 Palo Alto
William Hopkins, 2011 Leath St.
Joe Martin, 3105 Gladiolus Ln.
Jurline Hollins, 2832 Marjorie Ave.
Ester Davis, 2204 Millermore St.
Nancy Murphy, (no residence given), Denver, Colorado

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

Motion failed due to lack of second.

Councilmember Finkelman moved to delay the item until February, 2001.

Motion seconded by Councilmember Blumer.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1677

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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 deny the rate increase.

Motion seconded by Councilmember Loza.

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

Mayor Kirk declared the motion adopted on a divided voice vote, with Mallory Caraway voting "No"; (Poss absent when vote taken)

Assigned ORDINANCE NO. 24264.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1678

Public Hearing - **Uptown Public Improvement District**

- Item 47: * A public hearing to receive citizen comments on the re-establishment of a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code, known as the Uptown Public Improvement District ("District") for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements located in the District - Financing: No cost consideration to the City [00-1678]
- Item 48: * Authorize and re-establish the Uptown Public Improvement District ("District"), as a public improvement district, in accordance with Chapter 372 of the Texas Local Government Code including: (1) approval of findings as to the advisability of the proposed services and improvements, to be funded by assessments on real property and real property improvements; (2) designating Uptown, Inc. as manager of the District; and (3) authorizing a contract with Uptown, Inc. for management services - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the Uptown Public Improvement District:

Phil Cobb, 2418 Allen St.

Mark Murray, 5630 Gaston Ave., representing Dallas Land Association Limited

Joe Martin, 3105 Gladiolus Ave.

Councilmember Forsythe Lill moved to close the public hearing and pass the ordinance.

Motion seconded by Councilmember Loza and unanimously adopted. (Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1679

The consent zoning docket, consisting of agenda items 49-52 was presented.

Agenda items 49 and 50 were removed from the consent zoning docket, to be considered as individual hearings.

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

Agenda item 49:	Zoning Case Z990-127/8403-NE(RB)	[Considered individually]
Agenda item 50:	Zoning Case Z990-134/6612-SE(MB)	[Considered individually]
Agenda item 51:	Zoning Case Z990-141/6551-C(FD)	
Agenda item 52:	Zoning Case Z990-166/5873-NC(FD)	

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

Councilmember Greyson moved to close the public hearing, accept the recommendation of the city plan commission in each consent zoning docket case and pass all ordinances and approve all resolutions presented as part of the consent zoning docket.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1680

Item 49: Public Hearing - Zoning Case Z990-127/8403-NE(RB)

The consent zoning docket, consisting of agenda items 49-52, was presented.

Councilmember Blumer requested that consent zoning docket item 49 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 49 be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Blumer's request.

A public hearing was called on zoning case Z990-127/8403-NE(RB), an application for and an ordinance granting an amendment to the conceptual plan, development plan, and conditions for Planned Development District No. 530 for CR Community Retail District Uses on the west corner of Skillman Street and Larmanda Street.

(The city plan commission recommended approval of an amendment to the conditions but denial of amendment to the conceptual plan and development plan)

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

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

Councilmember Blumer moved to close the public hearing, accept the recommendation of the city plan commission, with the following change:

“That the applicant's requested amendment to the conceptual plan and the development/landscape plan be approved, and that the fence shown on Exhibit A be permitted to be constructed on the adjacent property within five feet of the northern boundary of the property, subject to the consent of the owners of the adjacent property in a form approved by the city attorney, and subject further to the condition the fence start at the northwest corner of the property and extend to the point where it meets up with the existing ornamental iron fence on the adjacent property, a distance of approximately 300 feet”

and pass the ordinance.

Motion seconded by Councilmember Greyson and unanimously adopted. (Chaney, Fantroy abstaining)

Assigned ORDINANCE NO. 24265.

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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1681

Item 50: Zoning Case Z990-134/6612-SE(MB)

The consent zoning docket, consisting of agenda items 49-52, was presented.

Councilmembers Chaney and Fantroy requested that consent zoning docket item 50 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 50 be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmembers Chaney and Fantroy's request.

A public hearing was called on zoning case Z990-134/6612-SE(MB), an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District, Child-care, Adult day-care and Assisted Living Facilities use on property presently zoned an R-7.5(A) Single Family District on the southwest corner of Jim Miller Road at Umphress Road.

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

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

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

Appearing in favor of the city plan commission recommendation:

Joyce Carr, 3109 Ridgedale, Garland

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

Motion seconded by Councilmember Blumer and unanimously adopted. (Chaney, Fantroy abstaining)

Assigned ORDINANCE NO. 24266.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1682

Item 51: Zoning Case Z990-141/6551-C(FD)

Zoning Case Z990-141/6551-C(FD), an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 205 for Office and Retail Uses to allow the enclosure of the second floor walkway on the northwest corner of Herschel Avenue and Oak Lawn Avenue.

(The city plan commission recommended approval.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24267.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1683

Item 52: Zoning Case Z990-166/5873-NC(FD)

Zoning Case Z990-166/5873-NC(FD), an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property presently zoned an R-7.5(A) Single Family District and an R-10(A) Single Family District north of McCallum Boulevard on Davenport Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 24268.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1684

Item 53: Public Hearing – Zoning Case Z990-139/110923-NE(BP)

A public hearing was called on zoning case Z990-139/110923-NE(BP), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned as R-10(A) Single Family District on property bounded by Lakeland Drive on the east, San Leandro Drive on the south, Highland Road on the west and the alley between San Fernando Way and Garland Road on the north, and an ordinance granting the proposed Planned Development District.

(The city plan commission recommended approval.

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

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

Appearing in favor of the city plan commission recommendation:

Phil Cobb, 2418 Allen St.
James Jordan, 1609 St. Francis Ave.
Eric Johnson, 6402 Anita St.
Margaret Smith, 8446 Santa Clara Dr.

Mayor Pro Tem Poss moved to close the public hearing, accept the recommendation of the city plan commission, and pass the ordinance.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Chaney, Fantroy abstaining)

Assigned ORDINANCE NO. 24269.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1685

Item 54: Public Hearing – Zoning Case Z990-153/11107-NE(MB)

A public hearing was called on zoning case Z990-153/11107-NE(MB), an application for an RR Regional Retail District on property currently zoned a CR Community Retail District on the east corner of Garland Road and Peavy Road.

(The city plan commission recommended denial.)

Appearing in opposition to the city plan commission recommendation:

Todd Howard, 9623 Athlone Dr., representing Lake Park Estates Neighborhood Association

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

Mayor Pro Tem Poss moved to close the public hearing and accept the recommendation of the city plan commission to deny.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1686

Item 55: Public Hearing – Zoning Case Z990-140/8760-C(FD)

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 north corner of Knight Street and Brown Street.

(The city plan commission recommended approval. This application was considered by the City Council at a public hearing on April 26, 2000, and May 10, 2000, and was taken under advisement until May 24, 2000, with the public hearing open.)

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

Councilmember Forsythe Lill moved to postpone the application until the June 28, 2000 voting agenda meeting of the city council.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1687

Item 56: Public Hearing – DEVELOPMENT CODE AMENDMENTS – CONSENT

A public hearing was called on consideration of amendments to the Dallas Development Code to revise the regulations for signs identifying residential subdivisions, and an ordinance implementing the amendments.

(The city plan commission recommended approval.)

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

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

Motion seconded by Councilmember Greyson and unanimously adopted.

Assigned ORDINANCE NO. 24270.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1688

Item 57: Public Hearing – DEVELOPMENT CODE AMENDMENTS – CONSENT

A public hearing was called on consideration of amendments to the Dallas Development Code to revise the regulations for public and private schools, and an ordinance implementing the amendments.

(The city plan commission recommended approval of amending the definition of a public school, adding a definition for an open enrollment charter school, and adding a requirement for a Specific Use Permit for open enrollment charter schools in all districts.)

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.

Appearing in opposition to the city plan commission recommendation:

Merlaney Wild, 3526 Timberlow Trl.
Tiffany Thornton, 8201 Fair Oaks Blvd.
Nancy Abrams, 9842 Audelia Rd.
Caroline Nixon, 5827 London Ln.
Susan Johnson, 2248 Village North, Richardson,
Richard Lander, (no residence given)

Appearing in favor of the city plan commission recommendation:

Larry Roger, 9655 Leaside Dr.
William Vandevort, 9935 Wind Lake Ave.
John Gould, 9655 Colemeadow Dr.
William Hopkins, 2011 Leath St.
Rich Lufkey, 224 Lake Ridge Village, representing Handyman Store
Adam Shay, 9217 Clearhurst

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1688

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Councilmember Walne moved approval of amending the definition of a public school, adding a definition for an open enrollment charter school, and adding a requirement for a Specific Use Permit for private schools and open enrollment charter schools in all districts.

Motion seconded by Councilmember Finkelman.

Councilmember Hill made a substitute motion to postpone the application until the June 28, 2000 voting agenda meeting of the city council.

Motion seconded the Councilmember Thornton Reese.

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

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

Mayor Kirk declared the motion lost.

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

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

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 24271.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1689

Public Hearing - BENEFIT ASSESSMENT HEARINGS

Danube Drive from Stella Avenue to Glen Avenue

- Item 58: * Benefit assessment hearing for street paving, water and wastewater main improvements on the street listed above
- Item 59: * Ordinance levying benefit assessments for street paving, water and wastewater main improvements on the street listed above
- Item 60: * Authorize a contract for the construction of street paving, water and wastewater main improvements on the street listed above - Abidave, Inc., lowest responsible bidder of nine - Financing: 1998 Bond Funds (\$102,319), Water Utilities Capital Construction Funds (\$67,285)

A public hearing was called to receive comments on a proposed to levy benefit assessments for street paving, water and wastewater main improvements on Danube Drive from Stella Avenue to Glen Avenue.

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 24272.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1690

00-1691

Item 61: 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 May 24, 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.

The following individual addressed the city council regarding consideration of appointments to boards and commission:

Albert Parker, 9647 Oak Gate Ln.

Councilmember Fantroy 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 Mayor Pro Tem Poss and unanimously adopted.

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

00-1712 CPC CITY PLAN AND ZONING COMMISSION

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1692

Item 62: Adoption of the 1999-2003 Affirmative Action Plan for the City of Dallas, which includes updated hiring and promotion goals, revised representation goals, and strategies for attaining goals - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Chaney.

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

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

Voting No: [1] Blumer

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1693

Item 63: Authorize hardship relief for Diane Johnson on property at 4914 S. Second Avenue from the South Dallas moratorium on the acceptance of applications for building permits and certificates of occupancy for certain uses - Financing: No cost consideration to the City

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1694

Item 64: Authorize an extension to the moratorium on the acceptance of applications for building permits and certificates of occupancy for certain uses within South Dallas consistent with the boundaries established by Resolution No. 000591 approved by the City Council on February 9, 2000 - Financing: No cost consideration to the City

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

The following individuals addressed the city council regarding the moratorium:

Carolyn Davis, 2611 Burger Ave.

Eva Minor, 2333 Eugene St.

Linda Jordan, 7515 Woodshadow Dr., representing Intercity Community Development Corporation

Emily Vernon, 3304 Cleveland St.

Willie Mae Coleman, 3802 York St.

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Hill.

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

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

Voting No: [0]

Absent when vote taken: [1] Salazar

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1695

Item 65: Authorize the allocation of private donations of equipment, labor, and cash donated by the citizens and corporations of Dallas for the purpose of making certain necessary improvements to the Arcadia Park, Wheatley Park, Cummings Park and Pike Park swimming pools in order to comply with applicable state and local codes and regulations regarding swimming pools (Deputy Mayor Pro Tem Salazar and Councilmembers Loza, Miller, Chaney, and Blumer via Mayor Kirk)

The following individual addressed the city council regarding swimming pools:

Delveeta Thompson, 7904 Ivory Ln., representing South Central Community

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Chaney.

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

Voting Yes:	[14]	Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway, Chaney, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[1]	Fantroy

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1696

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
- Arrendondo, et al v. City of Dallas, Cause No. 199-1743-99
- 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
- Avalon Residential Care Homes, Inc. v. City of Dallas, Civil Action No. 3:99-CV-2141-P

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OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

00-1696

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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.)

- Martin, et al v. City of Dallas, Cause No. 1-95-506
- 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

No other matters were discussed during the closed session.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1697

Addendum addition 1: Authorize a public hearing to be held on June 14, 2000 to receive citizens' comments concerning a proposed increase in taxicab rates of fare - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1698

Addendum addition 2: Authorize (1) a real property tax abatement agreement with Stewart & Stevenson Services, Inc. for the purpose of granting a ten-year abatement of 90% of the taxes on the added value to the real property for their relocation and expansion to locate within City of Dallas Enterprise Zone One, at the southwest corner of the intersection of Interstate 30 and Chalk Hill Road in Dallas, Texas; and (2) a 100% development fee rebate to Stewart & Stevenson Services, Inc. in an amount not to exceed \$25,000; and (3) protected tree removal prior to the issuance of a building permit pursuant to Section 51A-10.140 of the Dallas City Code - Revenue: First year tax revenue estimated at \$4,672; Ten-year tax revenue estimated at \$46,720 (Estimated revenue foregone for ten-year real property abatement \$420,530) - Financing: Public/Private Partnership Funds

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Finkelman.

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

Voting Yes:	[13]	Kirk, Poss, Loza, Thornton Reese, Hill, Mallory Caraway, Chaney, Fantroy, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[0]	
Absent when vote taken:	[2]	Salazar, Miller

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1699

Addendum addition 3: Authorize (1) an economic development grant 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 and; (2) an amendment to the Lease Option Agreement, for the golf course property only Tract A, to extend the term of the lease from 1 ten-year Primary Term with 2 ten-year options to 1 forty-year Primary Term of the lease, excluding any option periods - \$1,200,000 - Financing: Public/Private Partnership Funds

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

The following individual addressed the city council regarding the grant:

Bob Moss, 4319 Allencrest Ln., President of Dallas Business Development Corporation:

The following individuals were in support of the City of Dallas Business Development Corporation:

Don Hicks, St., 6840 Talbot Pkwy., representing City of Dallas Business Development Corporation
Roger Cortez, 12700 Park Central Dr., representing Hotel at Redbird Airport
Dan Tatsch, 2200 Ross Ave., representing Trammel Crow Dallas/Fort Worth
Forrest Smith, 7509 Stonecrest Dr., representing City of Dallas Business Development Corporation
Lee Akridge, 2990 Lombardy Ln., representing Akridge Aircraft
Darnell Pemberton, 9438 Sophora Dr., representing Friends of Redbird Airport
Larry Burk, 1412 Main St., representing Hampton Road Reality, Inc.
Gabriel Meadows, 2007 Nantucket Dr., Richardson, representing Living Waters/Senior Housing Community

Councilmember Fantroy moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted. (Hill abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1700

Addendum addition 4: Authorize Supplemental Agreement No. 1 to the database subscription contract with West Group for additional services necessary to assist the City in conducting online legal research, in an amount not to exceed \$35,000, increasing the original contract amount from \$25,000 to \$60,000 - Financing: Current Funds

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Thornton Reese and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1701

Addendum addition 5: Authorize a secured no interest forgivable loan agreement with the T.R. Hoover Community Development Corporation for the renovation and construction of the T.R. Hoover Community Multipurpose Center, located at 5106 Bexar Street, Dallas, Texas, to be used in conjunction with other funds for the construction of a mixed-use facility providing an array of neighborhood services and community development activities for the five year public service requirement, for a term ending September 30, 2000 - Not to exceed \$180,000 B Financing: 1996-97 Community Development Reprogramming Funds

Councilmember Chaney moved to approve the item.

Motion seconded by Councilmember Hill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1702

Addendum addition 6: Authorize the City Manager and other appropriate City officials to execute a Promissory Note in the aggregate principal amount \$6,990,000, Contract for Loan Guarantee Assistance, and other related documents in connection with the U. S. Department of Housing and Urban Development's (HUD) public offering of Series HUD 2000-A Certificates backed by Section 108 Notes, in order to: (1) authorize the reissuance of the 1998 Maturity Section 108 Neighborhood Renaissance Partnership (NRP) Interim Note in the aggregate principal amount of \$2,600,000 as permanent Section 108 NRP Notes maturing in years 2002-2006, and (2) allow the City to fix the interest rate on \$4,390,000 of the Section 108 NRP Notes maturing in years 2001-2002; authorize the City Manager and other appropriate City officials to execute Promissory Notes, Contracts for Loan Guarantee Assistance, and other related documents in connection with future HUD public offerings in order to fix the interest rate on the remaining Interim City of Dallas, Texas, Section 108 Promissory Notes (NRP) B-94-MC-48-0009, authorize an amendment to the Contract for Loan Guarantee Assistance to change the final date for expenditure of Section 108 NRP Notes to June 30, 2001; provide for other matters relating thereto; increase appropriations in 1999-00 Community Development Funds by \$155,768 from \$5,524,802 to \$5,680,570; and increase appropriations in Section 108 Loan Guarantee Funds by \$96,353 from \$131,501 to \$227,854 - Total not to exceed \$300,000 - Financing: 1999-00 Community Development Grant Funds (\$155,768) and Section 108 Loan Guarantee Funds (\$144,232)

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1703

Addendum addition 7: Authorize a major sports celebration in honor of the Dallas Stars between June 6 and June 18, 2000, in accordance with Resolution 93-4570, "A Policy Statement for Major Sports Celebrations" and authorize the City of Dallas to appropriate, if necessary, an amount not to exceed \$118,000 - Financing: Convention Center Current Funds

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Thornton Reese.

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

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

Mayor Kirk declared the motion adopted.

Later in the meeting, Councilmember Miller asked that the record reflect that she had voted "No" on the motion.

Mayor Kirk asked the city secretary to reflect in the record that Councilmember Miller had voted against the motion.

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

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1704

Addendum addition 8: An ordinance closing and vacating a portion of Alamo Street containing approximately 8,027 square feet of land located near its intersection with Payne Street; and a portion of Lyte Street containing approximately 1,047 square feet of land located near its intersection with Caroline Street, for the purpose of consolidating these areas with the adjacent City-owned property - Financing: No cost consideration to the City

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

Councilmember Loza moved to pass the ordinance.

Motion seconded by Councilmember Walne and unanimously adopted. (Poss abstaining)

Assigned ORDINANCED NO. 24273.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1705

Addendum addition 9: An ordinance abandoning an alley to Cybersol Red Partners, Ltd., the abutting owner, containing approximately 6,705 square feet of land, located near the intersection of Walton and Indiana Streets, and authorizing the quitclaim - Revenue: \$45,594 plus the \$20 ordinance publication fee

Councilmember Loza to pass the ordinance.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

Assigned ORDINANCE NO. 24274.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1706

Addendum addition 10: An ordinance authorizing the future conveyance of a parking easement agreement and the granting of private licenses to The Nasher Foundation and Dallas Museum of Art, for the use of approximately 3,620 square feet of land on portions of Flora, Harwood and Olive Streets near the intersection of Harwood Street and Woodall Rodgers Freeway, to construct, install, use and maintain bollards, sculptures, roof and wall building encroachments, general offices and related facilities and utility vault areas in exchange for the free admission of organized groups of school children to the Nasher Sculpture Center - Financing: No cost consideration to the City

Councilmember Forsythe Lill moved to pass the ordinance.

Motion seconded by Mayor Pro Tem Poss and unanimously adopted.

Assigned ORDINANCE NO. 24275.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1707

Addendum addition 11: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gloria Merrem of approximately 7,583 square feet of unimproved land for the Brooklyn Avenue Drainage Project, located at the intersection of Gladstone and Ravinia Drives - \$10,800 - Financing: 1995 Bond Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1708

Addendum addition 12: Authorize a public hearing to be held on June 14, 2000 to receive citizens' comments regarding proposed changes to the Downtown Special Provision Sign District (Deputy Mayor Pro Tem Salazar and Councilmembers Loza, Forsythe Lill, Thornton-Reese, Hill, Chaney, and Finkelman via Mayor Kirk)

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.

The following individuals were in support of the Downtown Special Provision Sign District:

Susan Mead, 1445 Ross Ave., representing Jenkens and Gilchrist, P.C.

Suzan Kendron-Lyn, 1445 Ross Ave., representing Jenkens and Gilchrist, P.C.

Larry Fonts, 1201 Elm St., representing Central Dallas Association

Chris Bauer, 1919 McKinney Ave., representing HKS Environmental Graphics

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Mallory Caraway abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1709

Addendum addition 13: Authorize a Development Agreement with the Nasher Foundation for the design and construction of streetscape improvements at the Nasher Sculpture Center - \$2,000,000 - Financing: Public/Private Partnership Funds

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Mayor Pro Tem Poss and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1710

Addendum addition 14: Authorize an amendment to Resolution No. 001459, adopted by the City Council on April 26, 2000, to reflect the original intent of the City Council to prohibit the acceptance of applications for certificates of occupancy for any use to be operated as a dance hall as defined in Chapter 14 of the Dallas City Code, and to prohibit the acceptance of applications for and the issuance of certificates of occupancy for any use to be operated as a sexually oriented business as defined in Chapter 41A of the Dallas City Code - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 24, 2000

00-1711

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, MAY 24, 2000

EXHIBIT C

06/01/00 10:26 am
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS