

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 27, 1999

99-0270

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

PRESENT: [14] Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [1] Kirk absent on city business

The meeting was called to order at 9:17 a.m.

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

The invocation was given by Councilmember Alan Walne.

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

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

Mayor

ATTEST:

City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 27, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 27, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0271

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: Billy Jack Ludwig, 7407 Fair Oaks Ave.
SUBJECT: Wrecker service/police location

SPEAKER: Campbell Read, 5839 Monticello Ave.
REPRESENTING: Trinity River Action Coalition
SUBJECT: Town Hall Meetings

SPEAKER: Anna Albers, 201 N. Edgefield Ave.
SUBJECT: Cadillac Heights resident and her house

SPEAKER: Bobbie Jean Jackson, 2428 Chrysler Dr.
SUBJECT: Conditions of my neighborhood

SPEAKER: Penina Weiner, 11711 El Hara Cir.
SUBJECT: Forest Ln./Blowing leaves onto city streets/all religious institutions

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Chief of Police/K.K.K./D.I.S.D./F.B.I.

SPEAKER: Joe Martin, 3105 Gladiolus Ln.
SUBJECT: Official Newspaper

SPEAKER: Elsie Risby, 2900 Dilido Rd.
SUBJECT: Newspapers

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0272

Item 1: Approval of Minutes

The city secretary stated that the minutes of the voting agenda meeting January 13, 1999, were not yet complete and would be distributed to the city council for approval at a future meeting.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0273

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-60, was presented for consideration.

The city secretary announced that her office has received written notice from members of the city council that consent agenda item 25 had been deleted or deferred and that notice of deferred items had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

Councilmember Forsythe Lill requested that consent agenda items 4 and 14 be removed from the consent agenda to be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda items 4 and 14 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Forsythe Lill's request.

Councilmember Blumer requested that consent agenda item 47 be removed from the consent agenda to be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 47 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Finkelman requested that consent agenda items 59 and 60 be removed from the consent agenda to be considered as individual items. Mayor Pro Tem Poss stated that consent agenda items 59 and 60 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Finkelman's request.

Councilmember Mayes moved to approve all items on the consent agenda with the exception of agenda item 25 which had been deferred or deleted until the next voting agenda meeting, and agenda items 4, 14, 47, 59 and 60 would be considered later in the meeting.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0274

Item 2: Authorize a professional services contract with Advantage Elevator Company, Inc. to provide elevator/escalator consulting services in thirty buildings throughout the city (list attached) for an annual appropriation of \$50,000 (\$250,000 over five years, 1999-2003) a year - \$250,000 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0275

Item 3: Authorize a professional services contract with ArchiTexas - Architecture, Planning, and Historic Preservation, Inc. to conduct a study of defects and long-term maintenance problems at the Vietnam Veterans Memorial in Fair Park - \$23,778 - Financing: Vietnam Veterans Memorial Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0276

Item 4: Authorize a professional services contract with Carter & Burgess, Inc. for a diagnostic/feasibility study to dredge Bachman Lake - \$149,682 - Financing: Aviation Current Funds (\$7,500), Water Utilities Capital Construction Funds (\$32,850), Storm Water Drainage Funds (\$109,332)

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

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

Councilmember Forsythe Lill moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0277

Item 5: Authorize a professional services contract with Freese and Nichols, Inc. for the design of street paving, storm drainage, water and wastewater main improvements on Simpson Stuart Road from South Central Expressway to Locust Drive - \$305,252 - Financing: 1998 Bond Funds (\$281,100), Water Utilities Capital Improvement Funds (\$24,152)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0278

Item 6: Authorize a contract for the construction of roof replacement and asbestos abatement at the Reverchon Recreation Center - Castro Roofing of Texas, Inc., lowest responsible bidder of four - \$108,455 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0279

Item 7: Authorize a contract for repairs to the Hall of State Building at Fair Park - DAL-EC, Inc.,
lowest responsible bidder of two - \$502,800 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0280

Item 8: Authorize a contract to upgrade the mechanical, electrical and plumbing for Southwest Police Facility, Fire Station #42, Fretz Recreation Center and Pleasant Oaks Recreation Center consisting of installing new heating, ventilation and air conditioning systems - John Cook & Associates Inc., lowest responsible bidder of three - \$224,000 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0281

Item 9: Authorize a contract for site development to include lighting, landscaping, irrigation, fencing and furnishings, Phase II at Cochran Park - Pittman Construction, Inc., lowest responsible bidder of two - \$91,243 - Financing: 1997-98 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0282

Item 10: Authorize a contract for interior renovation, including Americans with Disabilities Act improvements at Mildred Dunn Recreation Center in Lagow Park - IDG Services, Inc., lowest responsible bidder of three - \$58,807 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0283

Item 11: Authorize a contract for erosion control at Willie B. Johnson Recreation Center in Hamilton Park - Craig Olden, Inc., lowest responsible bidder of four - \$51,240 - Financing: 1995-96 Community Development Grant Funds (\$43,739) and 1985 Bond Funds (\$7,501)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0284

Item 12: Authorize a contract for erosion control under the Abrams Road bridge at White Rock Lake Hike and Bike Trail - Craig Olden, Inc., lowest responsible bidder of four - \$73,000
- Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0285

Item 13: Authorize a contract for site development at Cummings and Fruitdale Parks - Pittman Construction, Inc., lowest responsible bidder of three - \$165,537 - Financing: 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0286

Item 14: Authorize a contract for repairs to the water wall fountain at the Morton H. Meyerson Symphony Center at Betty B. Marcus Park - American Restoration, Inc., lowest responsible bidder of four and authorize an increase of appropriations in Capital Construction Funds by \$242,291 - \$242,291 - Financing: Capital Construction Funds

Councilmember Forsythe Lill requested that consent agenda item 14 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Lill's request.

Later in the meeting agenda item 14 was brought up for consideration.

Councilmember Forsythe Lill moved to defer the item until the February 10, 1999 voting agenda meeting of the city council.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0287

Item 15: Authorize a contract for replacement of the HVAC related cooling tower for the Coliseum Building, Phase I in Fair Park - The James C. Paris Company, Inc., lowest responsible bidder of three - \$161,378 - Financing: State Fair of Texas Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0288

Item 16: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Hunters View Lane from Rock Garden Trail to dead-end - Camino Construction, Inc., lowest responsible bidder of four - \$444,263 - Financing: 1995 Bond Funds (\$18,000), 1985 Bond Funds (\$251,567), Water Utilities Capital Construction Funds (\$6,150), Water Utilities Capital Improvement Funds (\$168,546)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0289

Item 17: Authorize Supplemental Agreement No. 3 to the contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. to provide construction testing services for the Centennial, Automobile and Food and Fiber Buildings - \$45,474, from \$783,331 to \$828,805 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0290

Item 18: Authorize an increase in the contract with Nedderman, Inc. for the construction of a new parking area and miscellaneous modifications to include sitework, relocation of irrigation, cedar fencing and acoustical panels for the arts and craft room at Churchill Park Recreation Center - \$60,248, from \$1,454,557 to \$1,514,805 - Financing: 1985 Bond Funds (\$25,248) and 1998 Bond Funds (\$35,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0291

Item 19: Authorize an increase in the contract with Tiseo Paving Company for the reconstruction of Cedar Springs Road from Mockingbird Lane to Howard Megredy Circle at Dallas Love Field Airport to provide erosion control enhancements - \$179,201, from \$6,662,532 to \$6,841,733 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0292

Item 20: Mary Street from alley south of Hudson Street north to Hudson Street

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0293

Item 21: Mary Street from alley south of Hudson Street north to Hudson Street

- * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0294

Item 22: Vicksburg Street from Lupo Drive to Lagoon Drive

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

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0295

Item 23: Vicksburg Street from Lupo Drive to Lagoon Drive

- * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0296

Item 24: Authorize release of a lien on real property located at 1159 W. Camp Wisdom Road, Dallas, Dallas County, Texas (The Bethlehem Foundation, Inc.); agency has successfully complied with HUD regulations by providing service for the required time period - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0297

Item 25: Authorize conveyance of fifteen vacant lots (5-19) in the 200, 300 and 400 blocks of W. Laureland to Southfair Community Development Corporation, for the development of low or moderate-income single family housing and execution of a development agreement - Revenue: \$10

The city secretary announced that Deputy Mayor Pro Tem Salazar had deferred consideration of consent agenda item 25 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

After the Notice of Deferred Items had been posted Deputy Mayor Pro Tem Salazar stated that he had notified the city secretary in writing that he had deferred agenda item 25 until the next voting agenda meeting, but that he wished to withdraw the deferral and consider the item as an individual item.

Mayor Pro Tem Poss stated that item 25 would be considered later in the meeting, there being no objection voiced to Mayor Pro Tem Poss's request.

Later in the meeting, consent agenda item 25 was brought up for consideration.

Councilmember Duncan moved to suspend the rules of the council in order to consider agenda item 25 and to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0298

Item 26: Authorize conveyance of seven vacant lots at 26, 27, 28, 36, 37, 38 and 39 Texridge Drive to Oak Cliff Development Corporation of Dallas, Texas, for the development of low or moderate-income single family housing and execution of a development agreement - Revenue: \$10

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0299

Item 27: A resolution declaring a vacant tract of City-owned land, located near the intersection of Spring Avenue and Sutton Road, unwanted and unneeded and authorizing its advertisement for sale by sealed bids at a minimum bid of \$500 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0300

Item 28: An ordinance granting a revocable license to Carleton In-Town Housing Partners, Ltd., for the use of approximately 33,081 square feet of land, to install and maintain a fence and sign on Haskell Avenue right-of-way located near its intersection with Lemmon Avenue - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23759.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0301

Item 29: An ordinance granting a revocable license to Daryl Richardson Gourmet Catering, Inc., for the use of approximately 1,729 square feet of land to install and maintain landscaping, and signs, and to widen the sidewalk along Griffin Street right-of-way between Hord and Corbin Streets - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23760.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0302

Item 30: An ordinance granting renewal of a private license to West End Partners I, Ltd., for the use of approximately 638 square feet of land, to use and maintain an existing loading dock on public property located near the intersection of Pacific Avenue and Austin Street
- Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23761.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0303

Item 31: An ordinance abandoning a portion of a sanitary sewer easement to Jacob J. Vandersteenhoven and Anne M. Vandersteenhoven, the abutting owners, containing approximately 19 square feet of land, located on Westgate Drive south of Belt Line Road, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23762.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0304

Item 32: An ordinance abandoning a portion of Cadiz Street and an alley to Camden Property Trust, the abutting owner, containing approximately 4,500 square feet of land, located near its intersection of Central Boulevard, providing for the dedication of approximately 4,500 square feet of land of street right-of-way and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23763.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0305

Item 33: Authorize a First Amendment to the Lease Agreement with Communities Foundation of Texas, Inc., to extend the lease for approximately 3,400 square feet of office space located at 4543-45 Bryan Street for the Police Department's Neighborhood Assistance Center from February 1, 1999 through January 31, 2004 - \$1,200 per month for a five year total of \$72,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0306

Item 34: Authorize a sixty-month price agreement for mail barcoding service with the lowest responsible bidder of four - Save On Mail Presort, Inc. - Not to exceed \$76,590 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0307

Item 35: Authorize the purchase of three wheel loaders/backhoes, one grader/maintainer, three skid steer loaders, three truck-mounted regenerative air sweepers, three 3.25 cubic yard wheel loaders and three 12,500 lb wheel loaders/backhoes with the lowest responsible bidders of seventeen - Con Equipment, Inc., Conley Lott Nichols Machinery, Dallas Ford New Holland, Inc., Future Equipment Co., Inc., Industrial Disposal Supply - Not to exceed \$884,736 - Financing: Water Utilities Current Funds (\$43,931) and 1998 Equipment Acquisition Contractual Obligation Notes (\$796,751) Aviation Current Funds(\$44,054)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0308

Item 36: Authorize the option to purchase 45 replacement vehicles, with the lowest responsible bidder of twelve - Southwest International Trucks, Inc. - Not to exceed \$1,597,493 - Financing: 1998 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0309

Item 37: Authorize a twenty-four month price agreement for the removal of trash at Farmers Market with the lowest responsible bidder of three - Waste Management of Dallas - Not to exceed \$ 103,250 - Financing: Event Services Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0310

Item 38: Authorize the purchase of truck mounted bodies with the lowest responsible bidder of two - Equipment Southwest Inc. - Not to exceed \$92,275 - Financing: 1998 Equipment Acquisition Contractual Obligation Notes

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0311

Item 39: Authorize a twenty-four month multiple award price agreement for traffic signal hardware with the lowest responsible bidders of four - Hi-Tech Signals Inc., Paradigm Traffic Systems, Inc. - Not to exceed \$77,976 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0312

Item 40: Authorize the option to purchase heavy equipment, bodies, and trailers with the lowest responsible bidder of three - Industrial Disposal Supply Company - Not to exceed \$343,459 - Financing: 1998 Equipment Acquisition Contractual Obligation Notes (\$340,560), Water Utilities Current Funds (\$2,899)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0313

Item 41: Authorize a twenty-four month price agreement for parts and the repair of Weil McLain boilers with the lowest responsible bidder of four - Page Boiler Works, Inc. - Not to exceed \$81,888 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0314

Item 42: Authorize a twenty-four month price agreement for the repair and maintenance of hoists and cranes with the lowest responsible bidders of five - Carl Pons Electric Motor Service, Inc. and Kranco Crane Pro Services, Inc. - Not to exceed \$699,910 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0315

Item 43: Authorize the purchase of a hydraulic hammer with the lowest responsible bidder of two
- A-1 Rental - Not to exceed \$54,380 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0316

Item 44: Authorize a twenty-four month multiple award price agreement for analytical services of industrial pollutants with the lowest responsible bidders of five - LNS Environmental Services, Inc. and Bio-Aquatic Testing, Inc. - Not to exceed \$667,700 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0317

Item 45: Authorize payment of a judgment in a lawsuit, styled I.A.S./Subrogation Recovery of America, Inc. v. City of Dallas, Cause No. DV98-1174-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0318

Item 46: Authorize settlement of a lawsuit, styled Laura Castille v. Bertram Erwin Johnson and City of Dallas, Cause No. DV-98-01890-G - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0319

Item 47: Authorize the criteria for the selection of underwriting syndicate members and the designation of co-senior managers and adopt a prohibition of contact between investment banking firms and City Councilmembers during the evaluation process - Financing: No cost consideration to the City

Councilmember Blumer requested that consent agenda item 47 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 47 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 47 was brought up for consideration.

Councilmember Duncan moved to approve the item with Section 4 deleted.

Motion seconded by Councilmember Blumer.

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

Voting Yes: [10] Salazar, Loza, Miller, Duncan, Hicks, Mayes, Lipscomb, Greyson,
Blumer, Forsythe Lill
Voting No: [4] Poss, Mallory Caraway, Walne, Finkelman
Absent: [1] Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0320

Item 48: Authorize an Agreement with American Express Travel Related Services Company, Inc. for acceptance of American Express Cards by the City for payment of goods and services purchased from City departments that accept credit cards. Terms include a 2.4% discount on charges plus a \$0.10 fee per transaction - Financing: \$150,000 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0321

Item 49: Authorize Supplemental Agreement No.1 to the independent audit contract with KPMG Peat Marwick LLP, (Dodd & Associates and Marilou Martinez-Stevens, CPA) to provide for review and update of the financial management performance criteria and perform audit procedures in accordance with the provisions of the State of Texas Single Audit Circular (the Circular) - Not to exceed \$59,000, from \$222,000 to \$281,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0322

Item 50: An ordinance awarding a franchise for 10 years to Navigator Telecommunications, LLC to provide local exchange telephone services - Revenue: \$10,000,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23764.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0323

Item 51: An ordinance awarding a franchise for 10 years to Southside Communications, LLC to provide local exchange telephone services - Revenue: \$226,000 over 10 years

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23765.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0324

Item 52: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0325

Item 53: Authorize (1) a public hearing to be held on February 10, 1999 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 45, consisting of 5.0847 acres located at 1841 W. Northwest Highway, City of Dallas, Texas, in order for the property to be eligible for real property tax abatement; (2) an ordinance creating City of Dallas Reinvestment Zone No. 45 on February 10, 1999; and (3) a real property tax abatement agreement with E. L. Boss, Jr. dba Botanical Technologies, Inc., on February 10, 1999 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0326

Item 54: Authorize (1) a real property tax abatement agreement with Frito-Lay, Inc. for the purpose of granting a ten-year abatement of 90% of the taxes on the added value to the real property for the consolidation and development of its new distribution facility on property in City of Dallas Enterprise Zone Two located at Stoneridge Business Park at Hampton Road and I-30, Dallas, Texas 75237; and (2) a 100% development fee rebate to Frito Lay, Inc. in an amount not to exceed \$15,000 - Revenue: First year tax revenue estimated at \$2,495. Ten-year tax revenue estimated at \$24,957. (Estimated revenue foregone for ten-year abatement \$584,190) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0327

Item 55: Authorize acceptance of grant funds from the Texas Natural Resource Conservation Commission to participate in the Texas PM 2.5 Ambient Air Monitoring Network by installing and operating six air monitors and execution of the grant agreement for the period September 1, 1998 through August 31, 1999 - \$48,000 - Financing: Texas Natural Resource Conservation Commission Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0328

Item 56: A resolution appointing Cheryl Williams as full-time municipal court judge - Financing:
No additional cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0329

Item 57: Authorize a License Agreement with the City of Inglewood, California, most advantageous proposer of three, for the operation of the parking management information system and the establishment of six new positions - \$576,450 annually - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0330

Item 58: An ordinance authorizing a correction to Ordinance No. 23735 which amended the Dallas Development Code by amending Section 51A.4.123, "Commercial service and industrial districts," and Section 51A-4.211, "Transportation Uses," by correcting the off-street parking requirement for the commercial bus station and terminal use - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23766.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0331

Item 59: Authorize the rejection of bids received for providing recyclable processing services and authorize readvertisement for new bids - Financing: No cost consideration to the City

Councilmember Finkelman requested that consent agenda item 59 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 59 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 59 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0332

Item 60: Authorize 1) an increase in the Trinity Waste Services contract for growth in solid waste collection accounts and processing of recyclables, and 2) an extension and increase to the referenced contract from April 4, 1999 to March 31, 2001 for city wide processing of recyclables - \$833,911, from \$23,851,265 to \$24,685,176 - Financing: Current Funds

Councilmember Finkelman requested that consent agenda item 60 be considered as an individual item. Mayor Pro Tem Poss stated that consent agenda item 60 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 60 was brought up for consideration.

Councilmember Finkelman moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0333

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 61-67 was presented.

Agenda items 62, 63, 64 and 66 were removed from the consent zoning docket, to be called as individual hearings.

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

Agenda item 61: Zoning Case Z978-349-7008-NW(SS)	
Agenda item 62: Zoning Case Z989-108/10724-NE(RB)	[Considered individually]
Agenda item 63: Zoning Case Z989-109/8403-NE(RB)	[Considered individually]
Agenda item 64: Zoning Case Z989-114/9815-SW(ML)	[Considered individually]
Agenda item 65: Zoning Case Z989-117/10734-SW(ML)	
Agenda item 66: Zoning Case Z989-118/146-NW(PN)	[Considered individually]
Agenda item 67: Zoning Case Z989-122/1296-NE(PN)	

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

No one appeared to comment on cases on the consent zoning docket.

Councilmember Mayes 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 Walne and unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0334

Item 61: Zoning Case Z978-349/7008-NW(SS)

Zoning Case Z978-349/7008-NW(SS), an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District Uses and Private Streets on property presently zoned an R-10(A) Single Family District on the south side of Northwest Highway, west of Midway Road.

(The city plan commission recommended approval, of a Planned Development District for Single Family Uses, Handicapped Group Dwelling Unit, and Private Streets, subject to a development plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23767.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0335

Item 62: Zoning Case Z989-108/10724-NE(RB)

The consent zoning docket, consisting of agenda items 61-67 was presented.

Councilmember Blumer requested that consent zoning docket item 62 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Poss stated that consent zoning docket item 62 would 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 Z989-108/10724-NE(RB), an application for and an ordinance granting a Planned Development District for CR Community Retail District Uses on property presently zoned an MF-2(A) Multifamily District and a CR Community Retail District on the northeast side of Larmanda Street, northwest of Skillman Street.

(The city plan commission recommended approval, subject to a conceptual plan and conditions.)

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:

Replace Subsection (d)(2) of Section 2 to read: ■A bar, lounge or tavern is prohibited.●
and pass the ordinance with that change.

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

Assigned ORDINANCE NO. 23768.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0336

Item 63: Zoning Case Z989-109/8403-NE(RB)

The consent zoning docket, consisting of agenda items 61-67 was presented.

Councilmember Blumer requested that consent zoning docket item 63 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Poss stated that consent zoning docket item 63 would 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 Z989-109/8403-NE(RB), an application for and an ordinance granting a Planned Development District for CR Community Retail District Uses on property presently zoned an NO(A) Neighborhood Office District at the west corner of Skillman Street and Larmanda Street.

(The city plan commission recommended approval, subject to a conceptual plan and conditions.)

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:

Replace Subsection (d)(3) of Section 2 to read: ■A bar, lounge or tavern is prohibited.●
and pass the ordinance with that change.

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

Assigned ORDINANCE NO. 23769.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0337

Item 64: Zoning Case Z989-114/9815-SW(ML)

The consent zoning docket, consisting of agenda item 61-57 was presented.

Ray Couch, chief planner, requested that consent zoning docket item 64 be removed from the consent zoning docket, to be called as an individual hearing because, in accordance with subparagraph (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the council in that a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of planning.

Mayor Pro Tem Poss stated that consent zoning docket item 64 would be removed from the consent zoning docket, to be called as an individual hearing, there being no objection voiced to the request.

A public hearing was called on zoning case Z989-114/9815-SW(ML), an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District Uses a College, Dormitory, Fraternity or Sorority House (by Specific Use Permit only), and a Community Service Center (by Specific Use Permit only), and consideration of and an ordinance granting a Specific Use Permit for a College Dormitory, Fraternity or Sorority House and a Community Service Center on property presently zoned an R-7.5(A) Single Family District at the west corner of West Jefferson Boulevard and Sheldon Avenue.

(The city plan commission recommended approval of a Planned Development District, subject to a development plan and conditions, and approval of a Specific Use Permit for College Dormitory, Fraternity or Sorority House and a Community Service Center for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site plan and conditions.)

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

Deputy Mayor Pro Tem Salazar moved to close the public hearing, accept the recommendation of the city plan commission, and pass the ordinances.

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

Assigned ORDINANCE NO. 23770 and ORDINANCE NO. 23771.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0338

Item 65: Zoning Case Z989-117/10734-SW(ML)

Zoning Case Z989-117/10734-SW(ML) an application for and an ordinance granting an amendment to Planned Development District No. 316, the Jefferson Area Special Purpose District, to allow the creation of a new Subarea 1f for residential, office, retail, and personal service uses at the northwest corner of Jefferson Boulevard and Van Buren Avenue.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23772.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0339

Item 66: Zoning Case Z989-118/146-NW(PN)

The consent zoning docket, consisting of agenda items 61-67 was presented.

Councilmember Mallory Caraway requested that consent zoning docket item 66 be removed from the consent zoning docket to be called as an individual hearing. Mayor Pro Tem Poss stated that consent zoning docket item 66 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection voiced to Councilmember Mallory Caraway's request.

A public hearing was called on zoning case Z989-118/146-NW(PN, an application for and an ordinance granting an amendment to and the expansion of Planned Development District No. 404 for College, Medical Clinic, and IR Industrial Research District Uses to provide additional classrooms, administrative area, and off-street parking for the college use, and to include two parcels of land presently zoned an IR Industrial Research District on the south and east sides of Electronic Lane, east of Composite Drive and south of Walnut Hill Lane.

(The city plan commission recommended approval, subject to amended conditions and an amended development plan.)

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

Appearing in favor of the city plan commission recommendation.

-- Roger Albright, 3301 Elm St.

Councilmember Mallory Caraway moved to postpone consideration of the application until the February 24, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0340

Item 67: Zoning Case Z989-122/1296-NE(PN)

Zoning Case Z989-122/1296-NE(PN), an application for and an ordinance granting an amendment to the conditions for Planned Development District No. 73 for Office and Retail Uses to reduce the parking requirements to the amount of parking spaces actually existing in the development on the east side of North Central Expressway, south of Northwest Highway.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23773.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0341

Item 68: Public Hearing - Zoning Case Z978-183/10356-C(RB)

A public hearing was called on zoning case Z978-183/10356-C(RB), an application for and an ordinance granting an MF-3 Multiple Family Subdistrict on property presently zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the north corner of Cedar Springs Road and Cole Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

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

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

Appearing in favor of the city plan commission recommendation:

-- Jim Harris, 1700 Pacific Ave., Ste. 3300, representing the applicant

Councilmember Forsythe Lill moved to postpone consideration of the application until the April 28, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0342

Item 69: Public Hearing - Zoning Case Z978-343/10684-NE(PN)

A public hearing was called on zoning case Z978-343/10684-NE(PN), an application for a CS Commercial Service District with retention of the Dry Overlay District on property presently zoned a CR-D Community Retail-Dry District on the southeast side of Garland Road, northeast of Alvin Street.

(The city plan commission recommended denial.)

No one appeared in opposition to or 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.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0343

Item 70: Public Hearing - Zoning Case Z989-111/9574-NE(SS)

A public hearing was called on zoning case Z989-111/9574-NE(SS), an application for and an ordinance granting a Planned Development District for a Community Service Center Use and MF-2(SAH) Multifamily (Standard Affordable Housing) District Uses on property presently zoned an MF-2(A) Multifamily District on the northeast side of Ridgecrest Road, west of Eastridge Drive.

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

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

Appearing in favor of the city plan commission recommendation:

-- Barry Knight, 5400 Renaissance Tower, representing the applicant

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

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23774.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0344

Item 71: Public Hearing - Zoning Case Z978-324/536-C(EM)

A public hearing was called on zoning case Z978-324/536-C(EM), an application for and an ordinance granting an amendment to Planned Development District No.174 to reduce lot coverage and height, to terminate the existing phasing line, maintain the current setbacks, and terminate the current development plans for Phase I and Phase II at the west corner of Lemmon Avenue and Carlisle Street.

(The city plan commission recommended approval, subject to a new conceptual plan and amended conditions. This application was considered by the City Council at a public hearing on December 9, 1998, and was taken under advisement until January 27, 1999, 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 close the public hearing, overrule the city plan commission and deny without prejudice.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0345

Item 72: Public Hearing - Zoning Case Z978-325/10665-NC(ML)

A public hearing was called on zoning case Z978-325/10665-NC(ML), an application for and an ordinance granting a CR Community Retail District on property presently zoned an MF-1(A) Multifamily District at the northwest corner of Frankford Road and Marsh Lane, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

(The city plan commission recommendation approval, subject to deed restrictions volunteered by the applicant. This application was considered by the City Council at a public hearing on January 13, 1999, and was taken under advisement until January 27, 1999, with the public hearing open.)

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

Councilmember Greyson moved to postpone consideration of the application until the February 10, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0346

Item 73: Public Hearing - Zoning Case Z989-110/10562-NW(SS)

A public hearing was called on zoning case Z989-110/10562-NW(SS), an application for and an ordinance granting a Planned Development District for IR Industrial Research District Uses and a Multifamily Use (to be allowed by Specific Use Permit only) on property presently zoned an IR Industrial Research District, and an application for and an ordinance granting a Specific Use Permit for a Multifamily Use at the southwest corner of Denton Drive and Community Drive.

(The city plan commission recommended approval of a Planned Development District for IR Industrial Research District Uses and a Multifamily Use, subject to a development plan and conditions, and approval of a Specific Use Permit for a Multifamily Use, subject to a site plan and conditions. This application was considered by the City Council at a public hearing on January 13, 1999, and was taken under advisement until January 27, 1999, with the public hearing open.)

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

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

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

Assigned ORDINANCE NO. 23775 and ORDINANCE NO. 23776.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0347

Item 74: Public Hearing - Zoning Case Z978-260/10597-NW(ML)

A public hearing was called on zoning case Z978-260/10597-NW(ML), an application for an amendment to Planned Development District No. 67 to amend the conditions for Tract II in order to permit NS Neighborhood Service District uses and to create a new Tract IV that allows R-5 Single Family District uses, duplex uses, and multiple family uses at the southwest corner of University Boulevard and Roper Street.

(The city plan commission recommended denial without prejudice. This application was considered by the City Council at a public hearing on December 9, 1998, and again on January 13, 1999, and was taken under advisement until January 27, 1999, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Thabiti Olatunji, 6503 Kenwell St., representing Concern Citizens of North Park and Love Field
- Ellen Johnson, 5106 W. University Blvd.
- Patti Walker, 5021 Wenonah Dr., representing Concern Citizens of North Park and Love Field
- Trudy Bullard, 7307 Caillet St., representing Concern Citizens of North Park and Love Field
- Paul Wright, 7311 Kaywood Dr.
- Alma Luckett, 6823 Webster St.
- Cassandra Tousant, 5026 Wenonah Dr.
- Sandra Berry, 6611 Robin Rd.
- Paul Clarkson, 6902 Webster St.

Appearing in favor of the city plan commission recommendation:

- Rev. Albert K. Hayes, 6710 Webster St.
- Joyce Lockley, 4718 Wateka Dr.
- T.L. Thomas, 6927 Roper St.
- Brenda Field, 7716 Kaywood Dr.
- Jimmy Thompson, 5016 Linnet La.
- Susan Mead, 1445 Ross Ave., Ste. 3200
- Brad Forslund, 600 E. Las colinas Blvd., Irving, representing JPI
- Jim Pryor, 7414 Kenwell St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

Councilmember Forsythe Lill moved to close the public hearing and reject the city plan commission recommendation for denial, approve the applicant's request to amend Planned Development District No. 67, subject to the revised conditions and plans and to consider the ordinance on February 10, 1999.

Motion seconded by Councilmember Hicks.

During debate on Councilmember Forsythe Lill's motion, Councilmember Hicks moved the previous question.

Mayor Pro Tem Poss declared the previous question was ordered as two-thirds of the city council members present had voted in the affirmative by voice vote.

Mayor Pro Tem Poss then called the vote on Councilmember Forsythe Lill's motion:

Voting Yes: [14] Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [0]
Absent: [1] Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0348

Item 75: Public Hearing - Zoning Case Z978-261/10603-NW(LS)

A public hearing was called on zoning case Z978-261/10603-NW(LS), an application for a Planned Development District for CS Commercial Service District Uses and MF-2(A) Multifamily District Uses on property presently zoned a CS Commercial Service District at the southwest corner of University Boulevard and Webster Street.

(The city plan commission recommended denial without prejudice. This application was considered by the City Council at a public hearing on December 9, 1998, and again on January 13, 1999, and was taken under advisement until January 27, 1999, with the public hearing open.)

Appearing in opposition to the city plan commission recommendation:

- Thabiti Olatunji, 6503 Kenwell St., representing Concern Citizens of North Park and Love Field
- Ellen Johnson, 5106 W. University Blvd.
- Patti Walker, 5021 Wenonah Dr., representing Concern Citizens of North Park and Love Field
- Trudy Bullard, 7307 Caillet St., representing Concern Citizens of North Park and Love Field
- Paul Wright, 7311 Kaywood Dr.
- Alma Luckett, 6823 Webster St.
- Cassandra Tousant, 5026 Wenonah Dr.
- Sandra Berry, 6611 Robin Rd.
- Paul Clarkson, 6902 Webster St.

Appearing in favor of the city plan commission recommendation:

- Rev. Albert K. Hayes, 6710 Webster St.
- Joyce Lockley, 4718 Wateka Dr.
- T.L. Thomas, 6927 Roper St.
- Brenda Field, 7716 Kaywood Dr.
- Jimmy Thompson, 5016 Linnet La.
- Susan Mead, 1445 Ross Ave., Ste. 3200
- Brad Forslund, 600 E. Las colinas Blvd., Irving, representing JPI
- Jim Pryor, 7414 Kenwell St.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

Councilmember Forsythe Lill moved to close the public hearing and reject the city plan commission recommendation for denial, approve the applicant's request to amend Planned Development District No. 67, subject to the revised conditions and plans and to consider the ordinance on February 10, 1999.

Motion seconded by Councilmember Hicks.

During debate on Councilmember Forsythe Lill's motion, Councilmember Hicks moved the previous question.

Mayor Pro Tem Poss declared the previous question was ordered as two-thirds of the city council members present had voted in the affirmative by voice vote.

Mayor Pro Tem Poss then called the vote on Councilmember Forsythe Lill's motion:

Voting Yes: [14] Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [0]
Absent: [1] Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0349

Item 76: Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.)

There were no consideration of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0350

Item 77: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A)

Councilmember Lipscomb moved to appoint Evelyn Conner Hicks to the DART Board.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0351

Item 78: Appointment of members to the task force created to review and recommend possible changes and additions to ethics laws applicable to city officers and employees

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0352

Item 79: Authorize the City Auditor's Long-Range Plan for 1999-2001 as required by Section 4 of City Council Resolution 79-0723, as amended by Council Resolution 90-4027, dated December 12, 1990 - Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0353

Item 80: Authorize the City Auditor's 1998-99 Annual Audit Plan as required by paragraph 4(b) of City Council Resolution 79-0723, as amended by City Council Resolution 90-4027, dated December 12, 1990 - Financing: No cost consideration to the City

Councilmember Mayes moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0354

Item 81: An ordinance abandoning a portion of Talmadge Lane to Hillcrest Church, the abutting owner, containing approximately 11,937 square feet of land, located near its intersection with Hillcrest Road, and authorizing the quitclaim - Revenue: \$81,172 plus the \$20 ordinance publication fee

Councilmember Finkelman moved to pass the ordinance.

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

Assigned ORDINANCE NO. 23777.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0355

Item 82: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Transcontinental Realty Investors, Inc., of approximately 2 acres of land, improved with an asphalt parking lot, for the Houston Street Extension Project between Pacific and McKinney Avenues - \$2,652,765 - Financing: 1998 Bond Funds (\$2,152,765) and 1995 Bond Funds (\$500,000)

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 Mayes.

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

Voting Yes:	[11]	Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[1]	Blumer
Abstain:	[1]	Poss
Absent:	[1]	Kirk absent on city business
Absent when vote taken:	[1]	Lipscomb

Deputy Mayor Pro Tem Salazar declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0356

Item 83: Authorize the quitclaim of a vacant lot located at 4719 Live Oak, acquired by the taxing authorities from the Sheriff's Sale, to Robert Frenzel and Gerry Frenzel, the highest bidders - Revenue: \$13,100

Councilmember Loza moved to deny the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0357

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)
- U.S. Department of Transportation Love Field Service Interpretation Proceeding, Docket No. OST-98-4363
- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-0003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No.3-98-CV-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R Caprock Communications Corp., Golden Harbor of Texas, Inc. and Westel, Inc. v. City of Dallas, Cause No. 3-98-CV-1227-R; and Sprint Communications Company, L.P. v. City of Dallas, Cause No. 3-98-CV- 1576-R
- Airport Properties, Inc. vs. City of Dallas, Texas, Case No. 495-44 948-MT-II; Adv. No. 98-4237 (U.S. Bankruptcy Court, Northern District of Texas)

Deliberations Regarding Real Property Interests (Sec. 551.072 T.O.M.A.)

- Purchase of Airport Properties, Inc.'s leasehold interests at Redbird Airport

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0358

Addendum addition 1: Authorize a thirty (30 year primary term lease of approximately 21.51 acres or 936,993 square feet of land improved with office buildings, multiple aircraft hangars, ramp and taxiway facilities with Redbird Development Corporation for aviation related purposes at Redbird Airport - Estimated Annual Revenue: \$159,289 plus a minimum of \$5,171,000 in leasehold improvements

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

The following individuals addressed the city council regarding the primary term lease:

- Darrell Jordan, 3 Lakeside Park, representing Hughes and Luce
- Robert Harrell, 9624 Bellewood Dr.

Councilmember Hicks moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0359

Addendum addition 2: Authorize a lease agreement for a ten (10) year period with The Black Academy of Arts and Letters for use of space at the Convention Center Theater - Revenue: \$58,000 annually

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Mayes.

Councilmember Mallory Caraway asked Councilmember Loza if he would accept a friendly amendment to his motion to add 15 years instead of a 10 year period.

Councilmember Loza accepted the amendment as part of his motion.

Councilmember Mayes, who seconded the original motion, also accepted the amendment.

After discussion, Mayor Pro Tem Poss called the vote on Councilmember Loza's motion as modified by the friendly amendment.

Mayor Pro Tem Poss declared the motion as modified by the friendly amendment, unanimously adopted. (Kirk absent on city business)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0360

Addendum addition 3: Authorize a thirty-six month price agreement for animal registration services used by the Code Compliance Services Department - PetData, Inc., only bidder - Not to exceed \$736,500 - Financing: Current Funds (Net Revenue \$583,500)

Councilmember Miller moved to approve the item.

Motion seconded by Councilmember Forsythe Lill.

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

Voting Yes: [13] Poss, Salazar, Loza, Miller, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [1] Duncan
Absent: [1] Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0361

Addendum addition 4: Authorize Supplemental Agreement No. 5 to the professional services contract with the law firm of Webb & Webb for legal services (including the retention of expert engineering consulting and testimony as required) necessary in the lawsuit entitled Dallas County Park Cities Municipal Utilities District v. Texas Natural Resource Conservation Commission, Cause No. 95-03161 in Travis County, and other matters before the Texas Natural Resource Conservation Commission, in an amount not to exceed \$200,000, increasing the original contract and Supplemental Agreements total from \$500,000 to \$700,000 - Financing: Current Funds

Councilmember Loza moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0362

Addendum addition 5: A resolution supporting efforts to bring a four-year, state-supported university to Southern Dallas - Financing: This action has no cost consideration to the City

Councilmember Mallory Caraway moved to approve the resolution.

Motion seconded by Councilmember Mayes.

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

Voting Yes: [14] Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [0]
Absent: [1] Kirk absent on city business

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

January 27, 1999

99-0363

NOTICE OF DEFERRED OR DELETED ITEMS

In accordance with Paragraph (d) of Section 7.11 of the City Council Rules of Procedure, the attached notices of deferred or deleted items were posted adjacent to each entrance to the city council chamber in Room 6 E North, City Hall.

7.11(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city council member or deleted by the city manager. No later than 5:30 p.m. of the day before each city council meeting, the city secretary shall post a list of all items appearing on the addendum to the agenda that were deferred by a city council member or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these lists any item described in Paragraph (a)(1), (2), (3), or (4).

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, JANUARY 27, 1999

EXHIBIT C