

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 24, 1999

99-0720

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [0]

The meeting was called to order at 9:24 a.m.

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

The invocation was given by Rev. Ed Middleton, Pastor, First Community Church.

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 4:57 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, FEBRUARY 24, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 24, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0721

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: Phil Cobb, 2418 Allen St.
REPRESENTING: Uptown Improvement District
SUBJECT: McKinney Avenue reconstruction

SPEAKER: Enid Breakstone, 1753 Mariposa Dr.
SUBJECT: Samuel Farm

SPEAKER: Pat Melton, 4219 Gloster Rd.
SUBJECT: Public events

SPEAKER: David Zacharias, 3352 Camelot Dr.
REPRESENTING: Dallas County Audubon Society
SUBJECT: Samuel Farm

CANCELED

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

OPEN MICROPHONE - END OF MEETING:

SPEAKER: Jimmy Lee, P.O. Box 4992
REPRESENTING: Relief in the Communities, Inc.
SUBJECT: Demand Federal Investigation/U.R.S.B./Housing

NO SHOW

SPEAKER: Pamela Medlock, 335 Woodmont Dr.
REPRESENTING: Concern Adults About Deaf Education
SUBJECT: Deaf Education in Dallas

NO SHOW

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

SPEAKER:	Kathryn Martin, 3400 Noble. Ave.	
SUBJECT:	Garbage bill sent, no pick up.	
SPEAKER:	Roy Cawthon, 1730 S. Beltline Rd.	CANCELED
SUBJECT:	Refund of water bill	
SPEAKER:	Marvin Crenshaw, 5134 Malcolm X Blvd.	NO SHOW
SUBJECT:	The original vision	
SPEAKER:	Jeanette Lee, 2314 Roanoke Ave.	
SUBJECT:	Love Field Library	
SPEAKER:	Clarence Martin, 3627 Softcloud Dr.	
SUBJECT:	Consumer are suppose to be carefully protected	
SPEAKER:	William D. Hubbard, 632 Hidden Trail Dr.	NO SHOW
SUBJECT:	Problems regarding Judges at 2014 Main St.	
SPEAKER:	Claud Yeldell, 4201 3627 Softcloud Dr.	
SUBJECT:	Consumer are suppose to be carefully protected	
SPEAKER:	Inez Clark, 1600 Fieldstone Crt. Arlington,	NO SHOW
REPRESENTING:	The Bronze Eagle Flying Club of Texas	
SUBJECT:	Youth in aviation	
SPEAKER:	Elsie Risby, 2900 Dilido Rd.	
SUBJECT:	Ethics	
SPEAKER:	Robert Harrell, 9624 Bellewood Dr.	
REPRESENTING:	Interstate Mechanical Contractors	
SUBJECT:	New lease and fuel farm at Redbird Airport	

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0542

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of February 10, 1999, was presented for approval.

Councilmember Mayes moved to approve the minutes.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0723

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 52 and 53 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 Greyson moved to approve all items on the consent agenda with the exception of agenda items 52 and 53 which had been deferred or deleted until the next voting agenda meeting.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0724

Item 2: Authorize a professional services contract with Jones & Boyd, Inc. to provide design services for ballfield improvements at Cummings Park - \$26,500 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0725

Item 3: Authorize a professional services contract with Jones & Boyd, Inc. to provide design services for ballfield improvements at Lawnview Park - \$32,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0726

Item 4: Authorize a professional services contract with Spencer Design Group, Inc. to provide design services for renovation of the Dreyfuss Clubhouse Building at White Rock Lake Park - \$42,315 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0727

Item 5: Authorize a professional services contract with AAE Architects, Inc. to provide design services for a senior center at Marcus Park, Phase I - \$27,828 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0728

Item 6: Authorize a professional services contract with Mesa Design Group, Inc. to provide design services for site improvements including reconstruction of the existing parking lot at White Rock Lake Park (Flagpole Hill) - \$32,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0729

Item 7: Authorize a professional services contract with Armstrong Berger, Inc. to prepare construction documents for the fabrication and installation of signage for various buildings at Fair Park including vehicular signage, pedestrian signage and entry gate signage and parking lot identification signs - \$104,809 - Financing: Fair Park Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0730

Item 8: Authorize a professional services contract with JPJ Architects, Inc. to provide a building renovation master plan for the Coliseum Building in Fair Park - \$170,758 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0731

Item 9: Authorize a professional services contract with Hellmuth, Obata +Kassabaum, Inc., for the provision of basic services for urban design, landscape architecture, engineering and construction bid documents and special services to include community participation/information program, and traffic analysis for five streetscape improvements in downtown Dallas, known as the City Center TIF District North/South Linkages Project - \$1,461,490 - Financing: City Center Tax Increment Financing District Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0732

Item 10: Authorize a professional services contract with Hellmuth, Obata + Kassabaum, Inc. for the design of landscape, architectural, engineering, and survey services for street improvements in the vicinity of Love Field and the Medical Center Area, Phase III (list attached) - \$189,360 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0733

Item 11: Authorize a contract for athletic field improvements including irrigation, new turf, concrete curb and sidewalks, bleachers and infield improvements at Cotillion Park - Slater Lawn Service, lowest responsible bidder of three - \$151,160 - Financing: 1995 Bond Funds (\$136,000) and 1985 Bond Funds (\$15,160)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0734

Item 12: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, construction of barrier free ramps, water and wastewater main adjustments for the Sidewalk Replacement Program 98-03 (list attached) - Roadway Engineering & Construction, Inc., lowest responsible bidder of four - \$213,555 - Financing: 1985 Bond Funds (\$201,530), Water Utilities Capital Construction Funds (\$12,025)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0735

Item 13: Authorize a contract for the replacement of sidewalks, curb and gutter, drive approaches, construction of barrier free ramps, water and wastewater main adjustments for the Sidewalk Replacement Program 98-04 (list attached) - Roadway Engineering & Construction, Inc., lowest responsible bidder of four - \$188,112 - Financing: 1985 Bond Funds (\$162,612), Water Utilities Capital Construction Funds (\$25,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0736

Item 14: Authorize a contract for the reconstruction of street paving, sidewalks, drive approaches, storm drainage, water and wastewater main improvements; installation of trees, tree grates, irrigation, electrical conduits, street light foundations, a two-foot wide sidewalk brick band adjacent to the curb, and the reconstruction of the "Walk of Fame" sidewalks adjacent to the Hard Rock Café on McKinney Avenue from Pearl Street to Oak Grove Avenue - Gibson and Associates, Inc., lowest responsible bidder of two - \$4,756,594; increase appropriations in the amount of \$451,188 in the Capital Projects Reimbursement Fund and increase appropriations in the amount of \$11,484 in the Restoration Fund - Financing: 1985 Bond Funds (\$1,261,004), 1995 Bond Funds (\$2,554,000), Water Utilities Capital Improvement Funds (\$392,898), Water Utilities Capital Construction Funds (\$86,020), Restoration Funds (\$11,484), Uptown Public Improvement District Funds (\$451,188)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0737

Item 15: Authorize Supplemental Agreement No. 4 to the contract with Carter & Burgess, Inc., to provide additional design services for ballfield improvements at Crawford/Elam Park - \$55,000, from \$193,560 to \$248,560 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0738

Item 16: Authorize Supplemental Agreement No. 1 to the contract with Nathan D. Maier Consulting Engineers, Inc. for additional design services on Eastridge Drive from Skillman Street to Park Lane - \$59,980, from \$308,075 to \$368,055 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0739

Item 17: Authorize Supplemental Agreement No. 1 to the contract with HDR Engineering, Inc. to provide additional engineering services for design modifications to the West Bank junction structure at the Central Wastewater Treatment Plant - \$34,972, from \$942,000 to \$976,972 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0740

Item 18: Authorize an Interlocal Agreement with the Texas Department of Transportation for the design and construction of landscaping and urban design improvements on Buckner Boulevard from Bruton Road to Lake June Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0741

Item 19: Authorize calling of a benefit assessment hearing to be held on April 14, 1999 for street paving, storm drainage, water and wastewater main improvements on Mary Street from alley south of Hudson Street north to Hudson Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0742

Item 20: Authorize calling of a benefit assessment hearing to be held on April 14, 1999 for street paving, water and wastewater main improvements on Vicksburg Street from Lupo Drive to Lagoon Drive - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0743

Item 21: Modella Avenue from Dennis Road to Allister 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

February 24, 1999

99-0744

Item 22: Modella Avenue from Dennis Road to Allister 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

February 24, 1999

99-0745

Item 23: Mohawk Drive from Empire Central Drive to Lovedale Avenue

- * Authorize street paving, and storm drainage 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

February 24, 1999

99-0746

Item 24: Mohawk Drive from Empire Central Drive to Lovedale Avenue

- * 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

February 24, 1999

99-0747

Item 25: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Holigan Homes Texas, Ltd., of approximately 26,756 square feet of unimproved land, located near the intersection of Churchill Way and Hillcrest Road - \$330,000 - Financing: 1998 Bond Funds (\$205,000) and Parks Capital Gifts and Donations Funds (\$125,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0748

Item 26: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from DR Horton-Texas, Ltd., of approximately 12.7 acres of unimproved land, located near Midway Road and Timberglen Drive - \$791,000 - Financing: 1998 Bond Funds (\$691,037) and Parks Capital Gifts and Donations Funds (\$99,963)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0749

Item 27: Authorize acquisition of individual avigation easements over 3 residential properties containing approximately 0.5 acres of land, located in the City of Irving, for the D-FW International Airport Expansion project - \$62,875 (\$30,180 in easement acquisition payments and \$32,695 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0750

Item 28: Authorize the City Manager to execute a twenty-four month Lease Option Agreement with Learjet, Inc., a subsidiary of Bombardier, Inc., for approximately 571,000 square feet of land at Dallas Love Field Airport - Revenue: \$11,000 per month plus a one-time payment of \$75,000

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0751

Item 29: An ordinance abandoning Crestmoor Avenue, a sidewalk easement and an alley sight easement to Ashton Coit Joint Venture, Charles V. Grahmann, Bishop of The Roman Catholic Diocese of Dallas, Texas, Amy K. Hunt and Carter J. Hunt, the abutting owners, containing approximately 7,727 square feet of land, located near its intersection with Benchmark Drive, providing for the dedication of approximately 3,145 square feet of land needed for alley right-of-way, and authorizing the quitclaim - Revenue: \$3,119 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23790.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0752

Item 30: An ordinance abandoning two utility easements to Eddins Enterprise, Inc., the abutting owner, containing approximately 9,243 square feet of land, located near the intersection of Lakefield Boulevard and Northwest Highway, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0753

Item 31: Authorize conveyance of an improved City-owned property, located near the intersection of South Moore and Claude Streets, to the Tenth Street Historic Community Development Organization, to be used for 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

February 24, 1999

99-0754

Item 32: A resolution declaring a vacant tract of land, located near the intersection of Thomas Avenue and Hall Street, unwanted and unneeded and authorizing its advertisement for sale by sealed bids at a minimum bid of \$150,000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0755

Item 33: An ordinance granting a revocable license to Preston Center West Corporation, for the use of approximately 147,600 square feet of land, to maintain the existing parking garage located between Westchester Drive, Berkshire Street, Kate Street and Luther Lane - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23792.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0756

Item 34. An ordinance abandoning a water easement to Presbyterian Hospital of Dallas, Inc., the abutting owner, containing approximately 1,581 square feet of land, located near the intersection of Walnut Hill Lane and Greenville Avenue, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23793.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0757

Item 35: An ordinance abandoning a utility easement to M and M Properties, the abutting owner, containing approximately 1,275 square feet of land, located near the intersection of Zang Boulevard and Illinois Avenue, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23794.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0758

Item 36: An ordinance abandoning Homer Street to Mockingbird Station Partners, L.P., the abutting owner, containing approximately 18,921 square feet of land, located near its intersection with Mockingbird Lane and authorizing the quitclaim - Revenue: \$313,616 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23795.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0759

Item 37: Authorize a multiple award purchase of automobiles, light trucks, vans and utility trucks with the lowest responsible bidders of seven - Classic Chevrolet Inc., Showcase Chevrolet, Inc., Fred Oakley Motors, Inc., Village Ford of Lewisville, Inc., Permian Autos, Inc., Volvo & GMC Trucks of Dallas - Not to exceed \$8,682,824 - Financing: Current Funds (\$4,397,956), Equipment Services Current Funds (\$1,595,044), 1998 Equipment Acquisition Contractual Obligation Notes (\$1,779,690), 1997 Local Law Enforcement Block Grant Funds (\$529,784), 1998 Local Law Enforcement Block Grant Funds (\$23,325), Walker Consent Decree Funds (\$312,240), Aviation Current Funds (\$44,785)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0760

Item 38: Authorize a twenty-four month price agreement for cement treated base with the lowest responsible bidders of two - TXI, Inc. and Beall Industries, Inc. - Not to exceed \$1,879,913 - Financing: Current Funds (\$1,569,913), Water Utilities Current Funds (\$310,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0761

Item 39: Authorize the rejection of bids received for brush shredding and composting services -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0762

Item 40: Authorize an Interlocal Agreement with the City of Plano for the provision of supplemental brush grinding services for the period of March 1, 1999 through February 29, 2000 - Not to exceed \$60,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0763

Item 41: Authorize settlement of a lawsuit, styled Brenda Fields v. City of Dallas, Cause No. CC-98-04390-D - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0764

Item 42: Authorize settlement of a claim filed by Farzin Ghalibaf, Claim No. 95-101005965-001 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0765

Item 43: Authorize settlement of a claim filed by State Farm Insurance Company as Subrogee for Doris Webb, Claim No. 95-101005070-001 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0766

Item 44: Authorize Supplemental Agreement No. 3 to the professional services contract with Haynes and Boone, L.L.P. for professional services necessary in the lawsuits entitled Albert, et al. v. City of Dallas, Cause Number 199-697-94, Hill, et al. v. City of Dallas, Cause Number 95-00975-F, Willis, et al. v. City of Dallas, Cause Number 199-200-95, Barber, et al. v. City of Dallas, Cause Number 199-624-95, Parker, et al. v. City of Dallas, Cause Number 1-95-107; and Martin, et al. v. City of Dallas, Cause No. 1-95-506; and any other proceeding relating to the 1979 pay referendum litigation, in an amount not to exceed \$250,000 increasing the original contract amount from \$700,000 to \$950,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0767

Item 45: Authorize a public hearing to be held on March 24, 1999 to receive citizen comments in preparation of the FY 1999-2000 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0768

Item 46: Approval of the issuance of approximately \$4,150,000 of bonds by the Fate Higher Education Facilities Corporation for the expansion of housing facilities at Dallas Baptist University in Dallas, Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0769

Item 47: Authorize annual adjustments to appropriations for the 1997-98 fiscal year for year-end close - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0770

Item 48: Authorize a professional services contract for court reporting services with All-American Reporting, the most advantageous proposer of three - Not to exceed \$190,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0771

Item 49: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0772

Item 50: Authorize an agreement with the Dallas Black Chamber of Commerce to co-sponsor a program to assist in the continued revitalization of the Martin Luther King, Jr. Boulevard and South Dallas/Fair Park Area Business District for the period beginning February 19, 1999 through February 29, 2000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0773

Item 51: Authorize an agreement with the Greater Dallas Hispanic Chamber of Commerce to co-sponsor a program to assist in the continued revitalization of the Maple Avenue Area Business District for the period beginning March 12, 1999 to February 29, 2000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0774

Item 52: Authorize a one-year economic development grant agreement for calendar year 1999 with the Big Twelve Conference to host college sporting events, conferences, and meetings within the city of Dallas as part of the Big Twelve's effort to promote national sporting events and sports entertainment and related activities - Not to exceed \$250,000 - Financing: Current Funds

The city secretary announced that Councilmember Blumer had deferred consideration of consent agenda item 52 until the next voting agenda meeting of the city council in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0775

Item 53: An ordinance amending Chapter 10, 10A, 45 and 48A of the Dallas City Code to provide reinsurance requirements for buses, shuttles, limousines, taxicabs, and vehicle tow services - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0776

Item 54: Authorize an increase in program funds to the Enterprise Foundation, Inc. Mortgage Assistance Contract for providing financial services and administration of the City's first time homebuyer programs - \$250,000, from \$4,712,161 to \$4,962,161 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0777

Item 55: Authorize the establishment of appropriations from excess program income from the Rental Rehabilitation Grant Funds to provide additional funding needed to allow repairs to homes that received Upfront Cost Assistance Program (UCAP) assistance between October 1, 1993 through December 31, 1995 where the home does not meet Housing Quality Standards and Minimum Housing Codes - \$140,000 - Financing: Rental Rehabilitation Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0778

Item 56: An ordinance authorizing a correction to the property description in Ordinance No. 23690 which granted a change of zoning to an MU-2 (SAH) Mixed Use (Standard Affordable Housing) District on property located northwest of Garland Road and northeast of Knob Oak Drive (Z978-304/10642-NE(LS) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23796.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0779

Item 57: Authorize a contract with Environmental Systems Research Institute, Inc., for the development of an interactive Windows-based community policing activity management system for the Police Department, most advantageous proposal of three - Not to exceed \$75,000 - Financing: 1997-98 Advancing Community Policing Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0780

Item 58: Authorize an agreement with the North Central Texas Council of Governments for professional assistance to coordinate regional information; to continue the cooperative monitoring program with the United States Geological Survey; and to provide assistance in regional program development for required storm water permit activities - \$140,869 - Financing: Storm Water Drainage Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0781

Item 59: Authorize continued participation in the American Water Works Association Research Foundation (AWWARF) Subscription Program to fund drinking water research for FY 1998-99 - \$205,791 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0782

Item 60: Authorize continued participation in the Water Environment Research Foundation (WERF) Subscription Program to fund wastewater research for FY 1998-99 - \$63,000 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0783

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 61-70 was presented.

Agenda items 62, 64 and 70 were removed from the consent zoning docket, to be called as an individual hearing.

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

Agenda item 61: Zoning Case Z978-266/10605-SE(RB)	
Agenda item 62: Zoning Case Z978-299/10637-NE(RB)	[Considered individually]
Agenda item 63: Zoning Case Z978-353/10707-NW(JP)	
Agenda item 64: Zoning Case Z989-107/10729-NE(RB)	[Considered individually]
Agenda item 65: Zoning Case Z989-123/9295-NC(ML)	
Agenda item 66: Zoning Case Z989-132/10747-NC(ML)	
Agenda item 67: Zoning Case Z989-140/10765-NW(SS)	
Agenda item 68: Zoning Case Z989-143/9348-SW(SS)	
Agenda item 69: Zoning Case Z989-151/10771-NE(ML)	
Agenda item 70: Zoning Case Z989-124/6480-SW(PN)	[Considered individually]

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 Blumer and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0784

Item 61: Zoning Case Z978-266/10605-SE(RB)

Zoning Case Z978-266/10605-SE(RB), an application for and an ordinance granting a TH-1(A) Townhouse District on property presently zoned an R-5(A) Single Family District at the south corner of Romine Street and Kynard Street, 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.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23797.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0785

Item 62: Zoning Case Z978-299/10637-NE(RB)

The consent zoning docket, consisting of agenda items 61-70 was presented.

Councilmember Walne requested that consent zoning docket item 62 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk 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 to Councilmember Walne's request.

A public hearing was called on zoning case Z978-299/10637-NE(RB), an application for and an ordinance granting a Planned Development District for a Transit Passenger Station or Transfer Center and certain MU-2 Mixed Use District Uses on property presently zoned an MU-2 Mixed Use District, an MU-3 Mixed Use District, and an IR Industrial Research District, and to terminate the existing deed restrictions on a portion of the request site on the northeast side of LBJ Freeway between Skillman Street and Miller Road, and a resolution authorizing acceptance of an instrument terminating the existing deed restrictions.

(The city plan commission recommended approval of a Planned Development District, subject to a development and landscape plan and conditions, and approval of the termination of the existing deed restrictions.)

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

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

(I) Roadway improvements

- (1) Prior to the issuance of a certificate of occupancy for a transit passenger station or transfer center on Tract I, the following improvements must be completed with the design and construction approved by the director of public works and transportation:
 - (a) Installation of a traffic signal at the intersection of northbound Skillman Street and Adleta Court.

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- (b) Installation and maintenance of traffic control signs and markings that conform to the "Texas Manual of Uniform Traffic Control Devices" at all driveways on the site that connect with a public street.
 - (c) Removal of the existing center median on Audelia Road between northbound and southbound Skillman Street and replacement of median with left turn lanes.
 - (d) Provision of a deceleration lane with a right turn lane on northbound Skillman Street at Adleta Court.
 - (e) Reconstruction of the curb at the southwest corner of Audelia Road and southbound Skillman Street to a larger radius in accordance with department of public works and transportation requirements.
 - (f) Provision of sidewalks or pedestrian pathways that are identified through a public study prepared by the property owner and approved by the director of public works and transportation that addresses the need for safe pedestrian access to the property.
 - (g) Completion of the Royal Lane extension as a six lane divided thoroughfare from Audelia Road to the connection with Miller Road.
 - (h) Completion of the north bound local access road along Interstate Highway 635 Miller Road and Skillman Street.
- (2) Prior to the issuance of a certificate of occupancy for a nonresidential use on Tract II, except for a transit passenger station or transfer center, the following improvements must be completed with the design and construction approved by the director of public works and transportation:
- (a) Installation of a traffic signal at the intersection of northbound Skillman Street and Adleta Court.
 - (b) Installation and maintenance of traffic control signs and markings that conform to the "Texas Manual of Uniform Traffic Control Devices" at all driveways on the site that connect with a public street.

- (c) Removal of the existing center median on Audelia Road between northbound and southbound Skillman Street and replacement of median with left turn lanes.
- (d) Provision of a deceleration lane with a right turn lane on northbound Skillman Street at Adleta Court.
- (e) Reconstruction of the curb at the southwest corner of Audelia Road and southbound Skillman Street to a larger radius in accordance with department of public works and transportation requirements.
- (f) Provision of sidewalks or pedestrian pathways that are identified through a public study prepared by the property owner and approved by the director of public works and transportation that addresses the need for safe pedestrian access to the property.
- (g) Completion of the Royal Lane extension as a six lane divided thoroughfare from Audelia Road to the connection with Miller Road.
- (h) Completion of the north bound and south bound local access roads along Interstate Highway 635 between Miller Road and Skillman Street.
- (I) Completion of the widening of the Miller Road bridge over Interstate Highway 635 to six lanes.
- (j) Completion of temporary entrance and exit ramps at Miller Road.

and pass the ordinance with those changes and approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23798.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0786

Item 63: Zoning Case Z978-353/10707-NW(JP)

Zoning Case Z978-353/10707-NW(JP), an application for and an ordinance granting a TH-2(A) Townhouse District on property presently zoned an R-10(A) Single Family District on the south side of Northwest Highway, west of Midway Road, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23799.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0787

Item 64: Zoning Case Z989-107/10729-NE(RB)

Ray Couch, assistant director of planning, 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.

Deputy Mayor Pro Tem Salazar 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 Z989-107/10729-NE(RB), an application for and an ordinance granting an R-16(A) Single Family District on Tract I and an R-1/2ac (A) Single Family District on Tract II on property presently zoned an R-1ac(A) Single Family District at the south corner of Mockingbird Lane and Chapel Hill Road.

(The city plan commission recommended approval as requested.)

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, accept the recommendation of the city plan commission, and pass the ordinance.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23800.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0788

Item 65: Zoning Case Z989-123/9295-NC(ML)

Zoning Case Z989-123/9295-NC(ML), an application for and an ordinance granting a Planned Development District for TH-1(A) Townhouse District Uses and Private Streets on property presently zoned an R-16(A) Single Family District and an amendment to the deed restrictions on the west side of Preston Road, south of Cezanne Drive, and a resolution authorizing acceptance of an amending deed restriction instrument.

(The city plan commission recommended approval, subject to a development plan showing 18 lots and conditions, and approval of an amendment to the deed restrictions to allow a maximum of 18 dwelling units.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23801.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0789

Item 66: Zoning Case Z989-132/10747-NC(ML)

Zoning Case Z989-132/10747-NC(ML), an application for and an ordinance granting a CS Commercial Service District on property presently zoned an NO(A) Neighborhood Office District on the west side of Davenport Road, south of Winding Creek Court, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction the change of zoning.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23802.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0790

Item 67: Zoning Case Z989-140/10765-NW(SS)

Zoning Case Z989-140/10765-NW(SS), an application for and an ordinance granting an IR Industrial Research District on property presently zoned an MU-3 Mixed Use District on the west side of Reeder Road, south of LBJ Freeway.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23803.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0791

Item 68: Zoning Case Z989-143/9348-SW(SS)

Zoning Case Z989-143/9348-SW(SS), a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned as Planned Development District No. 478 for Private Recreation Uses, with consideration being given to amending Planned Development District No. 478 to adjust the location of facilities, amend the paving requirements, decrease the number of required parking spaces and provide for additional uses incidental to the primary recreational use at northeast corner of Interstate 20 and Spur 408, and an ordinance implementing the proposal.

(The city plan commission recommended approval of the proposed amendments.)

Approved as part of the consent zoning docket

Assigned ORDINANCE NO. 23804.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0792

Item 69: Zoning Case Z989-151/10771-NE(ML)

Zoning Case Z989-151/10771-NE(ML), an application for and an ordinance granting an amendment to the site plan and conditions for Planned Development District No. 393 for a Community Service Center, Single Family, and Handicapped Group Dwelling Unit uses in order to change the size of the proposed building and the location of the proposed parking, building, and athletic fields with the site plan being replaced with a development and landscape plan at the southwest corner of and Greenville Avenue and Stults Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23805.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0793

Item 70: Zoning Case Z989-124/6480-SW(PN)

Ray Couch, assistant director of planning, requested that consent zoning docket item 70 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 70 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 Z989-124/6480-SW(PN), an application for and an ordinance granting an amendment to the development plan and conditions for the Subarea F-6 portion of Planned Development District No. 186 for Residential, Office, and Retail Uses to provide for an approximate 8,400 seat sanctuary, an approximate 600 seat chapel for funerals and weddings, additional off-street parking, allow a maximum height of 65 feet for religious uses, and to allow remote and shuttle parking for the church use, and further re-designating Subarea F-6 as Subarea F-2 on property on the north side of Kiest Boulevard, west of Spur 408.

(The city plan commission recommended approval.)

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

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

- (1) That a sentence be added to require that the property owner comply with the submitted traffic management plan.
- (2) That the requirement of an annual survey end when the 8,400 seat sanctuary ceases operation or seven years from the date of passage of the ordinance, whichever occurs first.
and pass the ordinance with those changes.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

2/25/99 8:33 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Motion seconded by Councilmember Lipscomb.

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

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

Mayor Pro Tem Poss declared the motion adopted.

Assigned ORDINANCE NO. 23806.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0794

Item 71: Public Hearing - Zoning Case Z978-359/9268-NW(PN & Z989-159/9268-NW(PN)

A public hearing was called on zoning cases Z978-359/9268-NW(PN & Z989-159/9268-NW(PN), an application for an amendment to Tract II of Planned Development District No. 37 for I-1 Industrial District Uses by: 1) creating a new Tract IIC for I-1 Industrial District uses and a Vehicle Auction and Storage Use permitted by Specific Use Permit only; 2) consideration of and an ordinance granting a Specific Use Permit for a Vehicle Auction and Storage Use on Tract IIC only; and 3) approval of a revised development plan for Tract IIB on property on the northeast side of Lakefield Boulevard between Northwest Highway and Sheila Lane, and a City Plan Commission authorized hearing to determine the proper zoning on Tract IIA within Planned Development District No. 37 for I-1 Industrial District Uses with consideration being given to approving a separate development plan for Tract IIA in place of the combined plans for Tract IIA and Tract IIB at the west corner of Northwest Highway and Lakefield Boulevard, and an ordinance implementing the amendments.

(The city plan commission recommended approval.)

Appearing in opposition to the city plan commission recommendation:

-- Daniel Chu, 440 N. MacArthur Blvd., Irving

Appearing in favor of the city plan commission recommendation:

- Bill Dahlstrom, 8333 Douglas Ave., representing Dallas Can Academy
- Grant East, 2601 Live Oak St.
- Jethro Pugh, 5616 Gaston Ave.
- Frank Breedlove, 1718 Bar Harbor Dr.

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

Motion seconded by Deputy Mayor Pro Tem Salazar.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

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

Voting Yes: [13] Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory
Caraway, Mayes, Lipscomb, Walne, Greyson, Blumer,
Forsythe Lill

Voting No: [0]

Absent when vote taken: [2] Kirk, Finkelman

Assigned ORDINANCE NO. 23807 and ORDINANCE NO. 23808.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0795

Item 72: Public Hearing - Zoning Case Z989-131/10746-C(JA)

A public hearing was called on zoning case Z989-131/10746-C(JA), a Landmark Commission authorized hearing to consider the granting of an Historic Overlay District for St. Ann's School on property presently zoned as Planned Development District No. 193, the Oak Lawn Special Purpose District, with an HC Heavy Commercial Subdistrict bounded by Harry Hines Boulevard, Moody Street, Harwood Street, and Wichita Street, and an ordinance implementing the proposal.

(The city plan commission recommended approval, subject to preservation criteria for only the school building and with special demolition criteria established for the site.)

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0796

Item 73: Public Hearing - Zoning Case Z989-118/146-NW(PN)

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. This application was considered by the City Council at a public hearing on January 27, 1999, and was taken under advisement until February 24, 1999, with the public hearing open.)

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

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

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23809.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0797

Item 74: Public Hearing - Floodplain Application

A public hearing was called to receive citizen comments on an application for a fill permit and removal of the floodplain (FP) prefix from .293 acres of land currently in the 100-year floodplain of the Elm Fork of the Trinity River located at 2105 West Northwest Highway and is zoned Industrial Research (IR) - Fill Permit 98-12 - Financing: No cost consideration to the City.

No one addressed the city council regarding the application.

Councilmember Mallory Caraway moved to close the public hearing and approve the application.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0798

Item 75: 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

February 24, 1999

99-0799

Item 76: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.017, T.O.M.A.)

There were no appointment of members to the DART Board.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0800

Item 77: Authorize hardship relief for the Estate of Harvey Andres for property at 2008 Greenville Avenue, north of Oram Street from the Lower Greenville area moratorium (Resolution No. 983668, adopted by the City Council on December 16, 1998) - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the hardship relief:

- Marshall Bowdoin, 7261 Pineberry Rd., representing Lula B's Antique Mall
- Kirk Tames, 5939 Goliad Ave., representing Lower Greenville Neighborhood Association
- Barry Lowe, 8238 Barbaree Blvd., representing Lower Greenville Merchants Association
- Bill Dahlstrom, 8333 Douglas Ave., representing Estate of Harvey Andres

Councilmember Forsythe Lill moved to deny the hardship relief for the Estate of Harvey Andres.

Motion seconded by Councilmember Finkelman and unanimously adopted. (Kirk, Greyson absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0801

Item 78: A resolution declaring approximately 16,893 square feet of City-owned land, located near the intersection of Collett and Bennett Avenues, unwanted and unneeded and authorizing the advertisement for sale by sealed bids at a minimum bid of \$50,679 - Financing: No cost consideration to the City

Councilmember Loza moved to defer the resolution until the April 28, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0802

Item 79: Authorize an Interlocal Agreement with El Centro College to provide job training and student stipends for program participants in Dallas Area Interfaith's "Workpaths 2000" job training program for the period March 1, 1999 through February 28, 2001 - \$100,000
- Financing: Current Funds

Deputy Mayor Pro Tem Salazar moved approve the item.

Motion seconded by Councilmember Mayes.

Councilmember Miller moved to substitute for Deputy Mayor Pro Tem Salazar's motion a motion to defer the item until the March 24, 1999 voting agenda meeting of the city council.

Motion seconded by Councilmember Blumer.

Councilmember Finkelman asked Councilmember Miller if she would accept a friendly amendment to make this an action item on the March 3, 1999 briefing meeting of the city council.

Councilmember Miller accepted the amendment as part of her motion.

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

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

Voting Yes: [7] Poss, Miller, Walne, Finkelman, Greyson, Blumer, Forsythe
Lill

Voting No: [7] Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb

Absent when vote taken: [1] Kirk

Mayor Pro Tem Poss declared the motion failed.

Mayor Pro Tem Poss called the vote on the original motion:

Voting Yes:	[11]	Salazar, Loza, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Finkelman, Greyson, Forsythe Lill
Voting No:	[3]	Poss, Miller, Blumer
Absent when vote taken:	[1]	Kirk

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0803

Item 80: A resolution recognizing the Dallas Public Library as a Citywide Asset (recommended by the Arts, Education and Libraries Committee) - Financing: No cost consideration to the City

Councilmember Forsythe Lill moved to defer this item until the end of the day.

Motion seconded by Councilmember Mayes and unanimously adopted.

Later in the meeting agenda item 80 was brought up for consideration.

The following individual addressed the city council regarding the Dallas Public Library as a Citywide Asset:

-- Lee Simpson, 7199 Green Tree Ln., representing Municipal Library Board

Councilmember Forsythe Lill moved to approve the resolution.

Motion seconded by Councilmember Greyson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0804

Item 81: An ordinance authorizing 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 (Z978-260/10597-NW(ML) - Financing: No cost consideration to the City

Councilmember Forsythe Lill moved to defer the ordinance until the March 24, 1999 voting agenda meeting of the city council

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0805

Item 82: An ordinance authorizing a Planned Development District for CS Commercial Service District Uses and Multifamily Uses on property presently zoned a CS Commercial Service District at the southwest corner of University Boulevard and Webster Street (Z978-261/10603-NW(LS) - Financing: No cost consideration to the City

Councilmember Forsythe Lill moved to defer the ordinance until the March 24, 1999 voting agenda meeting of the city council.

Motion seconded by Deputy Mayor Pro Tem Salazar and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0806

Item 83: 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 Mayes moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0807

Closed Session

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

- Debra Walker, et al v. HUD, et al.
- City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, et al., Cause No. 48-171109-97
- Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort Worth, Texas, et al., Cause No. 3:98-CV-1187-R (consolidated with City of Dallas, Texas v. Department of Transportation, et al., Cause No. 3:97-CV-1187-R)
- U.S. Department of Transportation Love Field Service Interpretation Proceeding, Docket No. OST-98-4363
- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No.3-98-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0808

Addendum addition 1: Public Hearing - Floodplain Application

A public hearing was called on an application for a fill permit and removal of the floodplain (FP) prefix from 0.16 acres of land currently in the 100-year floodplain of White Rock Creek which is located on the south side of Spring Valley Road between Hughes Lane and White Rock Creek and is zoned Residential ½(A) - Fill Permit 98-99 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the application:

- Betty Berkeley, 13958 Hughes Ln.
- Julius Wolfram, 13928 Hughes Ln.
- Rocky Hall, 19348 Hughes Ln.
- Michael J. Daniel, 13978 Hughes Ln.
- Allen Cadis, 4195 Valley Ridge Rd.
- Jean Hansen, 2924 Blystone Ln.
- Karen Hopkins Cadis, 4195 Valley Ridge Rd.

Councilmember Greyson moved to close the public hearing and approve the application.

Motion seconded by Councilmember Mayes.

Councilmember Hicks moved to substitute for Councilmember Greyson's motion a motion to close the public hearing and take the application under advisement until the March 3, 1999 briefing meeting of the city council.

Motion seconded by Councilmember Blumer.

During discussion, and at the request of Councilmember Mallory Caraway, Deputy Mayor Pro Tem Salazar called a recess of the meeting in order that the city council meet in executive session under Section 551.071 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.

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

Voting Yes:	[9]	Poss, Loza, Miller, Duncan, Hicks, Lipscomb, Greyson, Blumer, Forsythe Lill
Voting No:	[4]	Salazar, Mallory Caraway, Mayes, Walne
Absent when vote taken:	[2]	Kirk, Finkelman

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0809

Addendum addition 2: Public Hearing - Floodplain Application

A public hearing was called on an application for a fill permit and removal of the floodplain (FP) prefix from 1.7 acres of land currently in the 100-year floodplain of the South Fork of Ash Creek which is located at the northeast intersection of Ferguson Road and Lakeland Drive is zoned Residential 7.5(A) - Fill Permit 98-10 - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the application:

- William Flynn, 5844 Glendora Ave.
- Margaret Luttrell, 2214 Lakeland Dr.
- Aaron R. Lumpkin, 8521 Arturo Dr., representing Forest Hollow Owners Association
- Angela Bassett, 2109 Forest Oaks Dr.
- Elsie Risby, 2900 Dilido Rd.
- Maelissa Watson, 6956 Lakeshore Dr.
- Bill Dahlstrom 8333 Douglas Ave.
- Mike Boyd, 1525 Stainback Rd.
- Wanda True, 8502 Arturo Dr.

Councilmember Mayes moved to close the public hearing and approve the application.

Motion seconded by Councilmember Mallory Caraway.

Councilmember Blumer moved to substitute for Councilmember Mayes' motion a motion to close the public hearing and take the application under advisement until the March 3, 1999 briefing meeting of the city council

Motion seconded by Councilmember Miller.

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

Voting Yes:	[2]	Miller, Blumer
Voting No:	[8]	Kirk, Poss, Salazar, Loza, Hicks, Mallory Caraway, Mayes, Forstyhe Lill
Absent when vote taken:	[5]	Duncan, Lipscomb, Walne, Finkelman, Greyson

Mayor Kirk declared the motion lost.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

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

Voting Yes: [8] Kirk, Poss, Salazar, Loza, Hicks, Mallory Caraway, Mayes, Forstyhe
Lill

Voting No: [2] Miller, Blumer

Absent vote taken: [5] Duncan, Lipscomb, Walne, Finkelman, Greyson

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0810

Addendum addition 3: Authorize deposit of a Special Commissioner's Award for acquisition From Kayel Realty Company, of a tract of land containing approximately 1.8 acres, improved with a brick building and various connecting corrugated tin buildings, in City Block 927, for the Dallas Sports Arena Project, located northeast of the intersection of Woodall Rogers and Stemmons Freeways - \$3,300,000 - Financing: Funds Provided by Hillwood Development Corporation

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 Walne moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted. (Poss abstaining; Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0811

Addendum addition 4: Authorize deposit of a Special Commissioners' Award for acquisition from Caroline Street Properties, of a tract of land containing approximately 2.4 acres, improved with various connecting corrugated tin buildings, in City Blocks 927 and E/9271/2, for the Dallas Sports Arena project, located northeast of the intersection of Woodall Rodgers and Stemmons Freeways - \$3,451,493 - Financing: Funds Provided by Hillwood Development Corporation

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 Lipscomb moved to approve the item.

Motion seconded by Councilmember Hicks and unanimously adopted. (Poss abstaining; Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0812

Addendum addition 5: Actions Related to the May 1, 1999 Election

- * An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 1, 1999, for the purpose of electing a Mayor and 14 members of the City Council to represent Districts 1,2,3,4,5,6,7,8,9,10,11,12,13 and 14 for the term beginning June 7, 1999 - Financing: This action has no cost consideration to the City

Councilmember Walne moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent when vote taken)

Assigned ORDINANCE NO. 23810.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0813

Addendum addition 6: Actions Related to the May 1, 1999 Election

- * A resolution authorizing a joint election agreement and election services contract between the City of Dallas, various other jurisdictions within Dallas County, and Dallas County for the conduct of a joint election to be held on Saturday, May 1, 1999, and authorizing extension of the agreement for a runoff election, if necessary, to be held on Saturday, May 29, 1999 - \$1,435,500 - Financing: Current Funds
(Note: If election costs exceed the \$200,000 budgeted in FY 1998-99, the City Manager plans to recommend the use of Contingency Reserve Funds for the additional costs.)

Councilmember Finkelman moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0814

Addendum addition 7: Actions Related to the May 1, 1999 Election

- * A resolution approving the appointment of citizens to serve as election judges for the May 1, 1999 joint election and the May 29, 1999 runoff election, if necessary - Financing: This action has no cost consideration to the City

Councilmember Walne moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0815

Addendum addition 8: Actions Related to the May 1, 1999 Election

- * A resolution authorizing the Mayor to appoint an ad hoc city council canvassing committee to review the returns of the May 1, 1999, general election and submit a canvass report to the full city council on Wednesday May 5, 1999 - Financing: This action has no cost consideration to the City

Councilmember Walne moved to approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0816

Addendum addition 9: Oak Cliff Gateway TIF District

- * Authorize a development agreement between Washington Mutual Bank and the City of Dallas for the funding and construction of certain public improvements for the Jefferson at Kessler Heights Project in Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) and establishment of appropriations - Not to exceed \$1,500,000 - Financing: \$1,500,000 to be advanced by Washington Mutual Bank and reimbursed with interest from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund

The following individual addressed the city council regarding the Oak Cliff Gateway TIF District:

-- Jonathan Vinson, 1445 Ross Ave.

Deputy Mayor Pro Tem Salazar moved to approve the item.

Motion seconded by Councilmember Miller and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0817

Addendum addition 10: Oak Cliff Gateway TIF District

- * Authorize a resolution declaring the interest of Tax Increment Financing District Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) to reimburse Washington Mutual Bank for the funding and construction of certain public improvements for the Jefferson at Kessler Heights Project in Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) - Not to exceed \$1,500,000 - Financing: \$1,500,000 to be advanced by Washington Mutual Bank and reimbursed from the Oak Cliff Gateway TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Oak Cliff Gateway TIF District Fund

The following individual addressed the city council regarding the Oak Cliff Gateway TIF District:

-- Jonathan Vinson, 1445 Ross Ave.

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

Motion seconded by Councilmember Miller and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0818

Addendum addition 11: An ordinance abandoning Plowman Avenue, a portion of Moline Street, Tilden Street, alleys and a sanitary sewer easement to Park Tilden Partners, L.P., Mid-Tex Centers, Ltd., D McLeasing, Inc., and Herbert Frey, Trustee, the abutting owners, containing approximately 132,728 square feet of land, located near the intersection of Greenbriar Lane and Moline Street, in exchange for the dedication of 6,7888 square feet of land for needed street right-of-way; providing for the construction of two turn lane; providing for the waiver of dead-end street requirements; authorizing the quitclaim - Revenue: \$107,049 plus the \$20 ordinance publication fee

Deputy Mayor Pro Tem Salazar moved to defer the ordinance until the March 3, 1999 briefing meeting of the city council

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Kirk absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0819

Addendum addition 12: Authorize prepayment credits to City of Dallas retail water utility customers, with appropriate interest, to offset the impact of the 2.7 percent water and wastewater rate increase in fiscal year 1998-1999, and provide the City Council with additional information regarding the Water Utilities operations and capital program -estimated to be \$6,4000,000 million - Financing: Water Utilities Current Funds

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Walne.

Councilmember Miller moved to substitute for Councilmember Lipscomb's motion a motion to delay the item until the March 3, 1999 briefing meeting of the city council and add the roll back as one of the options.

Motion seconded by Councilmember Greyson.

During debate on Councilmember Miller's motion, Councilmember Mallory Caraway moved the previous question.

Motion seconded by Councilmember Walne .

Mayor Pro Tem Poss called the vote on Councilmember Mallory Caraway's motion to end debate and proceed to an immediate vote on the pending question.

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

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

Mayor Pro Tem Poss then called the vote on Councilmember Miller's substitute motion:

Voting Yes:	[9]	Poss, Salazar, Loza, Miller, Duncan, Hicks, Mayes, Greyson, Blumer
Voting No:	[5]	Mallory Caraway, Lipscomb, Walne, Finkelman, Forsythe Lill
Absent when vote taken:	[1]	Kirk

Mayor Pro Tem Poss declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0820

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, FEBRUARY 24, 1999

EXHIBIT C

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 24, 1999

99-0720

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Duncan, Hicks, Mallory Caraway, Mayes,
Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill

ABSENT: [0]

CORRECTION

- (c) Removal of the existing center median on Audelia Road between northbound and southbound Skillman Street and replacement of median with left turn lanes.
 - (d) Provision of a deceleration lane with a right turn lane on northbound Skillman Street at Adleta Court.
 - (e) Reconstruction of the curb at the southwest corner of Audelia Road and southbound Skillman Street to a larger radius in accordance with department of public works and transportation requirements.
 - (f) Provision of sidewalks or pedestrian pathways that are identified through a public study prepared by the property owner and approved by the director of public works and transportation that addresses the need for safe pedestrian access to the property.
 - (g) Completion of the Royal Lane extension as a six lane divided thoroughfare from Audelia Road to the connection with Miller Road.
 - (h) Completion of the north bound and south bound local access roads along Interstate Highway 635 between Miller Road and Skillman Street.
 - (I) Completion of the widening of the Miller Road bridge over Interstate Highway 635 to six lanes.
 - (j) Completion of temporary entrance and exit ramps at Miller Road.
- and pass the ordinance with those changes and approve the resolution.

Motion seconded by Councilmember Mayes and unanimously adopted.

Assigned ORDINANCE NO. 23798

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

February 24, 1999

99-0793

Item 70: Zoning Case Z989-124/6480-SW(PN)

Ray Couch, assistant director of planning, requested that consent zoning docket item 64 70 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 70 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 Z989-124/6480-SW(PN), an application for and an ordinance granting an amendment to the development plan and conditions for the Subarea F-6 portion of Planned Development District No. 186 for Residential, Office, and Retail Uses to provide for an approximate 8,400 seat sanctuary, an approximate 600 seat chapel for funerals and weddings, additional off-street parking, allow a maximum height of 65 feet for religious uses, and to allow remote and shuttle parking for the church use, and further re-designating Subarea F-6 as Subarea F-2 on property on the north side of Kiest Boulevard, west of Spur 408.

(The city plan commission recommended approval.)

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

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

- (1) That a sentence be added to require that the property owner comply with the submitted traffic management plan.
- (2) That the requirement of an annual survey end when the 8,400 seat sanctuary ceases operation or seven years from the date of passage of the ordinance, whichever occurs first.

and pass the ordinance with those changes.