

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 1999

99-2250

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

PRESENT: [15] Kirk, Poss, Salazar, Loza, Miller, Thornton Reese, Hill, Mallory Caraway,
Chaney, Lipscomb, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
ABSENT: [0]

The meeting was called to order at 9:39 a.m.

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

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

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

After all business properly brought before the city council had been considered the city council adjourned at 3:03 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, AUGUST 11, 1999

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 11, 1999

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2251

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: Albert Parker, 9647 Oak Gate Ln.
REPRESENTING: Pleasant Grove Corporation
SUBJECT: Nil economic funds for non-profit organization

SPEAKER: Jimmy Menifee, 8062 Chariot Dr.
SUBJECT: Dallas Police Department/Southwestern Bell Co.

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

SPEAKER: DeWayne Dallas, 6266 St. Albans Dr.
SUBJECT: Dallas city government under siege

SPEAKER: Campbell Read, 5830 Monticello Ave.
REPRESENTING: Save the Trinity
SUBJECT: Trinity River issues

OPEN MICROPHONE - END OF MEETING:

SPEAKER: William Hopkins, 2011 Leath St.
SUBJECT: Dallas City Council/KKK/FBI/DISD

SPEAKER: Bonnie Hurd, 3105 Peavy Rd.
SUBJECT: No justice at all for Senior Citizens

SPEAKER: Thelma Youngblood, 1823 Norfolk Ave.
SUBJECT: Structures/Streets

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

August 12, 1999 8:45 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

SPEAKER: Gilbert Ashley, 2609 Grand Ave.
SUBJECT: City Fest

SPEAKER: Jewel Floyd, 3815 Myrtle St. **NO SHOW**
SUBJECT: Discrimination/City of Dallas/Dallas Housing Authority

SPEAKER: Tony Featherstone 1229 Hillcrest, Denton
REPRESENTING: Millennium Holdings Corporation
SUBJECT: Naval Air Station

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2252

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of June 23, 1999, were presented for approval.

Mayor Pro Tem Poss moved to approve the minutes.

Motion seconded by Councilmember Finkelman and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2253

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-96, was presented for consideration.

The city secretary announced that her office had received from the city manager requesting that consent agenda item 40 and 41 be deleted from the agenda, but that the notice was received after the deadline for filing the notice as provided in Subsection 7.11 (C) of the City Council Rules of Procedure.

Councilmember Blumer requested that consent agenda item 38 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

Councilmember Greyson requested that consent agenda items 93 and 94 be removed from the consent agenda to be considered as individual items. Mayor Kirk stated that consent agenda items 93 and 94 would be considered as individual items later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Councilmember Chaney requested that consent agenda item 95 be removed from the consent agenda to be considered as an individual item. Mayor Kirk stated that consent agenda item 95 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Councilmember Loza moved to approve all items on the consent agenda with the exception of agenda items 38, 40, 41, 50, 93, 94 and 95 which would be considered later in the meeting.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2254

Item 2: Authorize a professional services contract with Advantage Elevator Company, Inc., to provide elevator code and ADA update specifications and construction contract administration for the 500 S. Ervay Building, to comply with new Texas Department of Licensing and Regulation standards - \$24,600 - Financing: 500 S. Ervay Current Funds

Approved as part of the consent agenda

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2255

Item 3: Authorize a professional services contract with Dunaway Associates, Inc., to provide design services for erosion control and trail improvements at Five Mile Creek Greenbelt at Kiest Valley - \$41,000 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2256

Item 4: Authorize a professional services contract with Huitt-Zollars, Inc., to provide design services for rerouting and reconstructing the White Rock Hike and Bike Trail - \$64,980 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2257

Item 5: Authorize a professional services contract with Jones & Boyd, Inc., to provide design services for athletic field improvements at Exline Park and bleachers at Exline Recreation Center - \$26,800 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2258

Item 6: Authorize a professional services contract with Hildinger Associates Architects to provide design services for a picnic shelter and site improvements at Tipton Park - \$18,700 - Financing: 1998-99 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2259

Item 7: Authorize a professional services contract with Freese & Nichols, Inc., to provide design services and prepare construction plans for water and sewer main extensions that will provide the City with the widest range of redevelopment options at the former Naval Air Station, Dallas - \$240,000 - Financing: Texas Defense Economic Adjustment Assistance Grant Program Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2260

Item 8: Authorize a professional services contract with Camp Dresser & McKee, Inc. to provide engineering services for the ozone facility at Eastside Water Treatment Plant, decrease appropriations in Wastewater Capital Improvement Fund and increase appropriations in Water Capital Improvement Fund in the amount of \$4,297,734 - \$4,297,734 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2261

Item 9: **Westmoreland Road from Remond Drive to Singleton Boulevard**

- * Authorize a professional services contract with Brockett Davis Drake, Inc. to provide design services for the reconstruction of street paving, storm drainage, sidewalks, water and wastewater main improvements on Westmoreland Road from Remond Drive to Singleton Boulevard - \$460,080 - Financing: 1998 Bond Funds (\$422,580), Water Utilities Bond Funds (\$37,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2262

Item 10: **Westmoreland Road from Remond Drive to Singleton Boulevard**

- * Authorize an Interlocal Agreement with the Texas Department of Transportation for cost participation in the reconstruction of Westmoreland Road from Remond Drive to Singleton Boulevard - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2263

Item 11: Authorize a contract for the construction of HVAC replacement at the Pleasant Grove Branch Library - Burden Brothers, Inc., lowest responsible bidder of two - \$202,420 - Financing: 1996-97 Community Development Grant Funds (\$152,939), Current Funds (\$25,936), Capital Construction Funds (\$23,545)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2264

Item 12: Authorize a contract for the construction of roof replacement and asbestos abatement at Fire Station #48, 10480 E. Northwest Highway - Castro Roofing of Texas, Inc., lowest responsible bidder of three - \$52,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2265

Item 13: Authorize a contract with the Dallas Summer Musical Management Group, Inc. to replace the carpet throughout the theater and all public spaces and reupholster lobby furniture at the Fair Park Music Hall and authorize an increase in appropriations by \$581,151 in the Majestic/Music Hall Major Maintenance Fund - \$581,151 - Financing: Majestic/Music Hall Major Maintenance Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2266

Item 14: Authorize a contract for replacement of the air conditioning chiller at the Coliseum in Fair Park - Trevino Mechanical Contractors, lowest responsible bidder of nine and authorize an increase of appropriations in State Fair of Texas Capital Construction Funds by \$273,000 - \$248,100 - Financing: State Fair of Texas Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2267

Item 15: Authorize a contract for the construction of street paving, storm drainage, water and wastewater adjustments on Arizona Avenue from dead-end south of Montana Avenue to Woodin Boulevard - Camino Construction, Inc., lowest responsible bidder of five - \$199,137 - Financing: 1998 Bond Funds (\$194,182), Water Utilities Capital Construction Funds (\$4,955)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2268

Item 16: Authorize an increase in the contract with V A Construction, Inc., for miscellaneous modifications to site improvements at Hulcy Park - \$72,025, from \$890,915 to \$962,940 - Financing: Park and Recreation Capital Gifts and Donations Funds (\$23,112) and 1985 Bond Funds (\$48,913)

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

Councilmember Hill moved to reconsider the approval of agenda item 16 as part of the consent agenda.

Motion seconded Councilmember Lipscomb.

Councilmember Lipscomb moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2269

Item 17: Authorize Supplemental Agreement No. 1 to the contract with Mesa Design Group, Inc., to provide design services for renovation of the existing park pavilion at Randall Park - \$15,000, from \$12,750 to \$27,750 - Financing: 1997-98 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2270

Item 18: Authorize Supplemental Agreement No. 1 to the contract with Spencer Design Group to provide design services for modular office system and related furniture for the Park and Recreation Department office renovations at City Hall - \$17,400, from \$14,788 to \$32,188 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2271

Item 19: Authorize Supplemental Agreement No. 1 to the contract with Freese and Nichols, Inc., to provide additional design services for trail improvements, erosion control and parking area lighting improvements, Phase II at Bachman Lake Park - \$40,400, from \$39,725 to \$80,125 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2272

Item 20: Authorize an increase in the contract with Ed Bell Construction Company for parking lot striping, lights, electric gates, security alarm update for the narcotics fenced area and installation of a security alarm system for the entire Police Auto Pound parking lot on Vilbig Road at Walmsley Avenue - \$245,104, from \$1,525,287 to \$1,770,391 - Financing: Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2273

Item 21: Authorize an increase in the contract with Roadway Engineering & Construction, Inc. for the replacement of non-reinforced concrete sidewalks with reinforced concrete sidewalks for the Sidewalk Replacement Program 98-04 (list attached) - \$24,254, from \$188,112 to \$212,366 - Financing: 1985 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2274

Item 22: Authorize an increase in the contract with BNC Environmental Services, Inc. for addition and deletion of work items related to construction of Cell 3 at the McCommas Bluff Landfill - \$77,860, from \$1,660,778 to \$1,738,638 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2275

Item 23: Authorize a benefit assessment hearing to be held on September 22, 1999 for street paving, storm drainage, water and wastewater main improvements on Alabama Avenue from Hobson Avenue to Elmore Avenue - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2276

Item 24: Authorize a benefit assessment hearing to be held on September 22, 1999 for sidewalk paving, water and wastewater adjustments on Sidewalk Group 98-104 (list attached) -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2277

Item 25: Authorize a benefit assessment hearing to be held on September 22, 1999 for street paving, water and wastewater main improvements on Street Group 424 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2278

Item 26: **Arizona Avenue from Saner Avenue to Ohio Avenue**

- * 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

August 11, 1999

99-2279

Item 27: **Arizona Avenue from Saner Avenue to Ohio 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

August 11, 1999

99-2280

Item 28: **Street Group 98-426**

Brooklyn Avenue from Ravinia Drive to Pierce Street
Brooklyn Avenue from Chalmers Street to Franklin Street

- * Authorize street paving, storm drainage water and wastewater adjustments; 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

August 11, 1999

99-2281

Item 29: **Street Group 98-426**

- * 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

August 11, 1999

99-2282

Item 30: Authorize an agreement with the Texas Department of Transportation for water and wastewater main improvements and appurtenance adjustments in Spring Valley Road - Not to exceed \$212,695 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2283

Item 31: Authorize acquisition of approximately 12,500 square feet of unimproved land from William F. Courtney, located at the intersection of Haskell and Lafayette Avenues, for the widening and improvement of Haskell Avenue - \$116,500 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2284

Item 32: Authorize the execution of a Third Supplement to the lease with Signature Combs, Inc. to reduce the rental rate of a demolished building in consideration for \$2,793,767 in new hangar construction at Dallas Love Field - \$41,910 - Financing: Aviation Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2285

Item 33: Authorize the City Manager to execute and place deed restrictions on a parcel of City-owned land located at Love Field Airport in favor of the State of Texas which will prohibit the use of groundwater from the site for residential, agricultural, recreational, industrial and commercial purposes without the express written pre-approval of the State of Texas - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2286

Item 34: Authorize a First Amendment to the Lease of Land and Facilities with MLT Development Co., which will grant MLT an additional twelve months in which to expend \$6,000,000 for capital improvements to the leased premises and add approximately 48,755 square feet of land to the Base Lease at Dallas Love Field - Revenue: \$10,570 annually

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2287

Item 35: Authorize release of lien on real property located at 2156 East Ledbetter, Dallas, Dallas County, Texas (Shahn Place, Inc. formerly Shunn's Place) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2288

Item 36: Authorize Supplemental Agreement No. 3 to the lease agreement with Major League Soccer, L.L.C., to extend the term until November 15, 2001 for use of the Cotton Bowl in Fair Park for Dallas Burn soccer games - Estimated Annual Revenue: \$182,048

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2289

Item 37: An ordinance amending Ordinance No. 22712 for Post Apartment Homes, L.P., to decrease the consideration for a historically significant structure located near the intersections of Main and Elm Streets with Ervay Street - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23940.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2290

Item 38: Authorize a 15-year lease agreement with The Fund for Animals, Inc. to provide for approximately 2,000 square feet of space at 4830 Village Fair Drive for the operation and maintenance of a low-cost clinic for animals - Revenue: \$2,000 annually

Councilmember Blumer requested that consent agenda item 38 be considered as an individual item. Mayor Kirk stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Blumer's request.

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

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2291

Item 39: Authorize conveyance of drainage easements to the City of Garland, containing approximately 7,660 square feet of land, for the construction and maintenance of storm water drainage facilities on city-owned land at Lake Ray Hubbard located east of Rowlett Road - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2292

Item 40: Authorize a lease agreement with Diversified Office Products, Inc. for approximately 8,533 square feet of general office space, sales, repair and storage space in the 500 South Ervay Building for the period of December 1, 1999 through November 30, 2004 - Revenue: \$3,693 per month

The city secretary announced that her office had received notice from the city manager requesting that consent agenda item 40 be deleted from the agenda, but that the notice was received after the deadline for filing the notice as provided in Subsection 7.11(C) of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2293

Item 41: Authorize a lease agreement with Sung Jae Kim dba Kim's Drug Store for approximately 1,550 square feet of retail and storage space located in the 500 South Ervay Building for the period of December 1, 1999 through November 30, 2004 - Revenue: \$1,162 per month

The city secretary announced that her office had received notice from the city manager requesting that consent agenda item 41 be deleted from the agenda, but that the notice was received after the deadline for filing the notice as provided in Subsection 7.11(C) of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2294

Item 42: Authorize a quitclaim deed to Ajax Custom Grips, Inc. for approximately 2,860 square feet of surplus D/FW RAILTRAN System right-of-way located near the intersection of Regal Row and Viscount Row - Revenue: \$8,580 (80% to be remitted to the Federal Transit Administration and 13% to the State of Texas)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2295

Item 43: Authorize the private sale by quitclaim deed of 1505 Lenway acquired by the taxing authorities from a Sheriff's Sale to St. Philip's Neighborhood Development Corporation - Revenue: \$4,500

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2296

Item 44: An ordinance granting a revocable license to Baylor College of Dentistry, for the use of approximately 912 square feet of land to install and maintain a canopy and existing ramp in North Hall Street right-of-way located near its intersection with Gaston Avenue - Revenue: \$746 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23941.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2297

Item 45: An ordinance granting a revocable license to Mary E. Farrell, for the use of approximately 536 square feet of land to install and maintain awnings in Jefferson Boulevard and Tyler Street rights-of-way - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23942.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2298

Item 46: An ordinance granting a private license to Park Place Motorcars Ltd., for the use of approximately 450 square feet of land to use and maintain subsurface communication cables in Oak Lawn Avenue right-of-way near its intersection of Avondale Avenue - Revenue: \$394 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23943.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2299

Item 47: An ordinance granting renewal of a private license to Republic Underwriters Insurance Company, for the use of approximately 9,975 square feet of land, to maintain the existing electric lights and sprinkler systems in Turtle Creek Boulevard right-of-way, located near its intersection with Fairmount Avenue - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23944.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2300

Item 48: An ordinance granting renewal of a private license to FelCor Hotel Asset Company, L.L.C., for the use of approximately 1,288 square feet of land to maintain the existing subsurface pedestrian tunnel under Griffin Street right-of-way, located near its intersection with Elm Street - Revenue: \$1,391 annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23945.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2301

Item 49: An ordinance granting a private license to Jefferson at Bryan Place, L.P., for the use of approximately 17,199 square feet of land to maintain landscaping in Allen, Bryan, Liberty, Live Oak and San Jacinto Streets rights-of-way - Revenue: \$350 annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23946.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2302

Item 50: An ordinance abandoning a portion of Oak Lane and an alley to American Permanent Ware Company, the abutting owner, containing approximately 17,331 square feet of land, located near its intersection with Third Avenue, and authorizing the quitclaim - Revenue: \$40,512 plus the \$20 ordinance publication fee

The following individual addressed the city council regarding the abandonment:

-- Brian Rosenbloom, 6015 Yorkville Crt.

Councilmember Chaney moved to pass the ordinance.

Motion seconded by Councilmember Loza.

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

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

Voting No: [0]

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 23947.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2303

Item 51: An ordinance abandoning a portion of a drainage easement to Hawkins-Welwood Homes, L.P., the abutting owner, containing approximately 726 square feet of land, located near the intersection of Forest Lane and Hillcrest Road, providing for the dedication of approximately 5,635 square feet of land needed for a new drainage easement, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23948.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2304

Item 52: An ordinance abandoning portions of Creekwood and Montwood Drives to Len-Mac Development Corp., the abutting owner, containing approximately 16,313 square feet of land, located near Forest Oaks Drive, and authorizing the quitclaim - Revenue: \$16,639 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23949.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2305

Item 53: An ordinance closing and vacating a portion of Flynn Street, containing approximately 17,362 square feet of land, located near its intersection with Alamo Street, for the purpose of consolidating this area with the adjacent City-owned property - Financing: No cost consideration to the City

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

Councilmember Loza moved to reconsider the approval of agenda item 53 as part of the consent agenda.

Motion seconded by Councilmember Forsythe Lill.

Councilmember Loza moved to pass the ordinance.

Motions seconded by Councilmember Forsythe Lill and unanimously adopted. (Poss abstaining)

Assigned ORDINANCE NO. 23950.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2306

Item 54: An ordinance granting renewal of a revocable license to American City Business Journal Publications, Inc. to operate and maintain self service coin operated racks for the sale of the Dallas Business Journal newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23951.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2307

Item 55: An ordinance granting renewal of a revocable license to Gannett Satellite Information Network, Inc., to operate and maintain self service coin operated racks for the sale of the USA Today newspaper upon public street right-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23952.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2308

Item 56: An ordinance granting renewal of a revocable license to The DMN, Inc. to operate and maintain self service coin operated racks for the sale of the Dallas Morning News newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23953.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2309

Item 57: An ordinance granting renewal of a revocable license to Dow Jones and Company, Inc. to operate and maintain self service coin operated racks for the sale of the Wall Street Journal newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23954.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2310

Item 58: An ordinance granting renewal of a revocable license to Helen Gordon Interests, Ltd., to operate and maintain self service coin operated racks for the sale of the Greensheet newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23955.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2311

Item 59: An ordinance granting renewal of a revocable license to Mockingbird Press, Inc. to operate and maintain self service coin operated racks for the sale of the Park Cities People and Northside People newspapers upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23955.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2312

Item 60: An ordinance granting renewal of a revocable license to Star-Telegram Operating, Ltd., to operate and maintain self service coin operated racks for the sale of the Fort Worth Star-Telegram newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23957.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2313

Item 61: An ordinance granting renewal of a revocable license to The New York Times Sales, Inc., to operate and maintain self service coin operated racks for the sale of the New York Times newspaper upon public street right-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23958.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2314

Item 62: An ordinance granting renewal of a revocable license to Tribune Publishing, Inc. to operate and maintain self serviced coin operated racks for the sale of the Dallas Post Tribune newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23959.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2315

Item 63: An ordinance granting renewal of a revocable license to La Subasta, Inc. to operate and maintain self service coin operated racks for the sale of the La Subasta de Dallas newspaper upon public street rights-of-way not open to vehicular traffic - Revenue: \$5 per rack annually plus \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23960.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2316

Item 64: An ordinance abandoning an alley to Joe Bock, the abutting owner, containing approximately 3,168 square feet of land, located near the intersection of Browder Street and Griffin Street East, and authorizing the quitclaim - Revenue: \$10,771 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23961.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2317

Item 65: Authorize the purchase and replacement of a physical access security system and subject to annual appropriation a sixty month maintenance agreement - SecureNet, Inc., most advantageous proposer of three - Not to exceed \$554,366 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2318

Item 66: Authorize a thirty-six month price agreement for security guard services with the lowest responsible bidder of four - Ruiz Protective Service, Inc. - Not to exceed \$2,828,517 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2319

Item 67: Authorize a twenty-four month price agreement for film processing with the lowest responsible bidder of two - Expert Imaging, Inc. - Not to exceed \$136,567 - Financing: Current Funds (\$98,528), Water Utilities Current Funds (\$24,888), 1998-99 Community Development Grant Funds (\$13,151)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2320

Item 68: Authorize a thirty-six month price agreement for emergency 911/311 language interpretation/translation services with the only bidder - AT&T Language Line Services - Not to exceed \$486,297 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2321

Item 69: Authorize a thirty-six month price agreement for sign language interpretation and braille transcription services with the lowest responsible bidders of three - Dallas Lighthouse for the Blind, Deaf Action Center - Not to exceed \$65,025 -Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2322

Item 70: Authorize a twelve month price agreement for hay with the lowest responsible bidders of three - Hermond Ragland, Southwest Hay Exchange - Not to exceed \$199,909 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2323

Item 71: Authorize a twenty-four month price agreement for herbicides and pesticides with the lowest responsible bidders of eight - Estes, Inc., Terra International, Inc., NCH Corporation/Mantek Div. - Not to exceed \$796,006 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2324

Item 72: Authorize a twenty-four month price agreement for herbicide treatment of drainage channels with the only bidder - Spray Max, Inc. - Not to exceed \$368,050 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2325

Item 73: Authorize a twenty-four month price agreement for cast iron fittings with the only bidder
- U.S. Filter Distribution Group - Not to exceed \$370,783 - Financing: Water Utilities
Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2326

Item 74: Authorize an increase in the contract with Jani-King of Dallas to provide janitorial services at the 500 S. Ervay building through the existing Central Service Center contract and authorize an extension to the current contract through September 30, 2000 - \$156,750, from \$627,004 to \$783,754 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2327

Item 75: Authorize an increase in the price agreement with Corporate Care of Dallas, Inc. to continue carpet cleaning services at City Hall through June 30, 2000 - \$88,200, from \$352,800 to \$441,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2328

Item 76: Authorize settlement of a claim filed by Alice Dabbs, Claim No. 95-101004837-001 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2329

Item 77: Authorize settlement of a claim filed by Neighbors Coffee Service, Claim No. 95-101006124-001 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2330

Item 78: Authorize settlement of a claim filed by Phyllis Lohden, Claim No. 95-101004928-002 -
Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2331

Item 79: Authorize a two-year extension of the contract with First Southwest Asset Management, Inc. for investment advisory services to October 31, 2001 - Not to exceed \$75,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2332

Item 80: Authorize a public hearing to be held on August 25, 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

August 11, 1999

99-2333

Item 81: Authorize approval of the bi-weekly tax action

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2334

Item 82: Authorize an increase in the price agreement with ROC Greenleaf dba Ramada Hotel to provide facilities to administer four assessment centers for the Police and Fire promotional process - \$15,819, from \$50,000 to \$65,819 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2335

Item 83: Authorize a 5-year contract for food and vending at City Hall, and vending services only at 500 S. Ervay and 320 E. Jefferson Street and for management of the D'Store at City Hall - Sodexo Marriott Services - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2336

Item 84: Authorize (1) a public hearing to be held on August 25, 1999 to receive citizen comments concerning the creation of City of Dallas Reinvestment Zone No. 47, consisting of 5.66 acres located in the 8200 Block of Eastpoint Drive, 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. 47 on August 25, 1999; and (3) a real property tax abatement agreement and development fee rebate with Eastpoint Business Center, Inc. on August 25, 1999 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2337

Item 85: Authorize (1) a real property tax abatement agreement with Internet Marketing & Creative Concepts and its lessor, Cullum Interest for the purpose of granting a ten-year abatement of 90% of taxes on added value to the real property for an internet marketing facility within City of Dallas Enterprise Zone One, located at 7505 W. John Carpenter Freeway, Dallas, Texas; and (2) a 100% development fee rebate to Internet Marketing & Creative Concepts and its lessor, Cullum Interest in an amount not to exceed \$6,700 - Revenue: First year tax revenue estimated at \$519. Ten-year tax revenue estimated at \$5,193 (Estimated revenue foregone for ten-year abatement \$46,735) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2338

Item 86: Authorize an amendment to the real property tax abatement agreement with United Front of Dallas, Inc., authorized by City Council on June 24, 1998, by Resolution No. 98-1905, (1) extending the required substantial completion date of improvements to the real property located at 2923 E. Ledbetter, Dallas, Texas 75210 within the Enterprise Community/Enterprise Zone, from December 31, 1998 to December 31, 1999; and (2) changing the start date for the tax abatement period from January 1, 1999 to January 1, 2000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2339

Item 87: Authorize an amendment to the real property tax abatement agreement with Innerscity Community Development Corporation, authorized by City Council on May 27, 1998, by Resolution No. 98-1583, (1) extending the required substantial completion date of improvements to the real property located at 4900 Spring Avenue, Dallas, Texas 75210 within the City of Dallas Enterprise Community, from September 1, 1998 to December 31, 1999; and (2) changing the start date for the tax abatement period from January 1, 1999 to January 1, 2000 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2340

Item 88: Authorize (1) a tangible personal property tax abatement agreement with Omnicom Group, Inc. and its lessor, Harwood Center, LP for the purpose of granting a ten-year abatement of 90% of taxes on tangible personal property to be located in City of Dallas Enterprise Zone One, Dallas, Texas; and (2) a 100% development fee rebate in an amount not to exceed \$60,000 - Revenue: First year tax revenue estimated at \$8,438. Ten-year tax revenue estimated at \$84,383 (Estimated revenue foregone for ten-year abatement \$759,447) - Financing: Public/Private Partnership Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2341

Item 89: Authorize the postponement of the public hearing from August 11, 1999, to August 25, 1999, in accordance with Chapter 372 of the Texas Local Government Code, to establish the public improvement district, known as the Deep Ellum Public Improvement District, for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements located in the District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2342

Item 90: Authorize the reconstruction on site of seven homes in accordance with the Home Improvement Loan Program statement requirements for properties located at 2420 56th Street, 3926 Furey, 3626 Kenilworth Street, 1811 Life Avenue, 1915 E. Overton Road, 2311 Pine Street, 1407 Waweenoc Avenue, - Not to exceed \$306,250 - Financing: 1997-98 HOME Funds (\$131,250) and Neighborhood Renaissance Partnership Program Section 108 Notes (\$175,000)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2343

Item 91: Authorize application for, and acceptance of grant funds from the Texas Commission on the Arts, and execution of the grant agreement, for general operation and project support to arts and cultural organizations in the City of Dallas for the period September 1, 1999 through August 31, 2000, in the amount of \$145,325 - Financing: Texas Commission on the Arts Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2344

Item 92: An ordinance authorizing a Planned Development District for IM Industrial Manufacturing District Uses, a Metal Salvage Facility and an Outside Salvage or Reclamation Use on property presently zoned an IM Industrial Manufacturing District and an IR Industrial Research District at the southeast corner of West Commerce Street and Vilbig Road (Z978-275/10615-NW (PN) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 23962.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2345

Item 93: Authorize an Interlocal Agreement with the Dallas County Criminal District Attorney's Office for the City's participation in the Dallas County Domestic Violence Project grant for the period of February 14, 1999 through February 29, 2000, and allowing reimbursement to the City for salaries, benefits and equipment involved in the project in an amount not to exceed \$145,237 – Financing: U.S. Department of Justice Grant Funds Awarded to Dallas County (to be reimbursed 100% from Dallas County)

Councilmember Greyson requested that consent agenda item 93 be considered as an individual item. Mayor Kirk stated that consent agenda item 93 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Greyson's request.

Later in the meeting agenda item 93 was brought up for consideration.

Councilmember Greyson moved to approve the item.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2346

Item 94: A resolution waiving certain eligibility criteria of the City's Residential Street Closure Policy to consider the closure of Keller Springs Road between Preston Road and Davenport Road - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the waiver:

- Carolyn Kennington, 6514 Wickerwood Dr.
- Michael Sutton, 6202 Oakleaf Rd.
- Bill French, 6110 Keller Springs Rd., representing Keller Springs Homeowner Association
- Karen French, 6110 Keller Springs Rd., representing Keller Springs Homeowner Association
- Paul Booker, 6023 Blue Bay Dr., representing Prestonwood Trails Homeowner Association
- Theo Montoya, 6009 Blue Mist Ln.

Councilmember Greyson moved to authorize the waiver.

Motion seconded by Councilmember Finkelman.

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

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

Voting No: [0]

Mayor Kirk declared the motion to grant the waiver was approved as two-thirds of the members of the city council had voted in the affirmative.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2347

Item 95: **Cityplace Area TIF District**

- * Authorize a development agreement with Oak Creek Partners, Ltd., to provide funding for Dallas Public Schools' purchase of educational facilities consisting of two contiguous properties located at 3107 and 3109 North Haskell Avenue in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) in an amount not to exceed \$400,000; and the establishment of appropriations - Financing: \$400,000 to be provided by a private developer and reimbursed from the Cityplace Area TIF District Fund; accrued interest on private funds advanced to be repaid solely from the Cityplace Area TIF District Fund

Councilmember Chaney requested that consent agenda item 95 be considered as an individual item. Mayor Kirk stated that consent agenda item 95 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Chaney's request.

Later in the meeting agenda item 95 was brought up for consideration.

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

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted. (Kirk and Chaney abstaining)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2348

Item 96: **Cityplace Area TIF District**

- * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) to reimburse Oak Creek Partners, Ltd. for funds advanced pursuant to a development agreement between the City and Oak Creek Partners, Ltd. in an amount not to exceed \$400,000, plus interest for the acquisition of land and improvements located in the Cityplace Area TIF District to be used for additional educational facilities for Dallas Public Schools - Financing: \$400,000 to be advanced by Oak Creek Partners, Ltd. and reimbursed solely from the Cityplace Area TIF District Fund; accrued interest on private funds to be repaid solely from the Cityplace Area TIF District Fund

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2349

PUBLIC HEARING - CONSENT ZONING DOCKET

The consent zoning docket, consisting of agenda items 97-110 was presented.

Agenda items 101, 102, 103, 105, 109, and 110 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 97:	Zoning Case Z989-186/10836-NW(RB)	
Agenda item 98:	Zoning Case Z989-204/10865-NE(BP)	
Agenda item 99:	Zoning Case Z989-205/9366-C(SS)	
Agenda item 100:	Zoning Case Z989-208/10868-SW(FD)	
Agenda item 101:	Zoning Case Z989-210/8023-C(RB)	[Considered individually]
Agenda item 102:	Zoning Case Z989-211/10869-C(RB)	[Considered individually]
Agenda item 103:	Zoning Case Z989-212/10873-SW(SS)	[Considered individually]
Agenda item 104:	Zoning Case Z989-213/10871-NW(SS)	
Agenda item 105:	Zoning Case Z989-216/6578-NC(SS)	[Considered individually]
Agenda item 106:	Zoning Case Z989-217/10874-NW(MB)	
Agenda item 107:	Zoning Case Z989-220/74-NE(MB)	
Agenda item 108:	Zoning Case Z989-223/10895-SW(BP)	
Agenda item 109:	Zoning Case Z989-227-10896-C(BP)	[Considered individually]
Agenda item 110:	Zoning Case Z989-228/10167-C(LS)	[Considered individually]

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

The following individuals appeared to comment on cases on the consent zoning docket:

- Elsie Risby, 2900 Dilido Rd., regarding Zoning Case Z989-220/74-NE(MB)
- Robert Reeves, 500 S. Ervay St., regarding Zoning Case Z989-212/10873-SW(SS) and Zoning Case Z989-220/74-NE(MB)

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

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1999 8:45 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

August 11, 1999

99-2350

Item 97: Zoning Case Z989-186/10836-NW(RB)

Zoning Case Z989-186/10836-NW(RB), an application for and an ordinance granting a P(A) Parking District on property presently zoned an R-10(A) Single Family District at the northwest corner of Northaven Road and Webb Chapel 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. 23963.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2351

Item 98: Zoning Case Z989-204/10865-NE(BP)

Zoning Case Z989-204/10865-NE(BP), an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 286 for a Convalescent Center and Nursing Home on property at the northwest corner of Greenville Avenue and Stults Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23964.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2352

Item 99: Zoning Case Z989-205/9366-C(SS)

Zoning Case Z989-205/9366-C(SS), an application for and an ordinance granting an amendment to the conditions for the Tract I portion of Planned Development Subdistrict No. 11 for Multifamily and Townhouse Uses and Private Streets within Planned Development District No. 193, the Oak Lawn Special Purpose District, to permit a business school and barber and beauty shop use on property west of the west corner of Lyle Street and Caroline Street.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23965.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2353

Item 100: Zoning Case Z989-208/10868-SW(FD)

Zoning Case Z989-208/10868-SW(FD), an application for and an ordinance granting a Specific Use Permit for a Public or Private School (Texas Language Charter School) on property presently zoned an MF-2(A) Multifamily District at the northeast corner of Tenth Street and Tyler Street.

(The city plan commission recommended approval for a five year time period with eligibility for automatic renewal for additional five year time periods, subject to a site plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23966.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2354

Item 101: Zoning Case Z989-210/8023-C(RB)

The consent zoning docket, consisting of agenda items 97-110 was presented.

Councilmember Forsythe Lill requested that consent zoning docket item 101 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 101 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Forsythe Lill's request.

Later in the meeting zoning docket item 101 was brought up for consideration.

A public hearing was called on zoning case Z989-210/8023-C(RB), an application for and an ordinance granting a Specific Use Permit for a Drive-through restaurant on property presently zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the west corner of Lemmon Avenue and Wycliff Avenue.

(The city plan commission recommended approval for a 25-year time period with eligibility for automatic renewal for additional ten-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.

Councilmember Forsythe Lill moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance with the following change:

“That Condition No. 3 be changed to provide for a twenty-seven year period for the specific use permit with eligibility for automatic renewal”

and pass the ordinance with that change.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23967.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2355

Item 102: Zoning Case Z989-211/10869-C(RB)

The consent zoning docket, consisting of agenda items 97-110 was presented.

Councilmember Chaney requested that consent zoning docket item 102 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 102 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Chaney's request.

Later in the meeting zoning docket item 102 was brought up for consideration.

A public hearing was called on zoning case Z989-211/10869-C(RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multifamily Subdistrict Uses on property presently zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Cambrick Street between Travis Street and Cole Avenue.

(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:

- Andy Crum 4131 Buena Vista St.
- Richard East, 4057 Travis St.

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

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

Councilmember Forsythe Lill moved to reconsider the zoning consent docket item 102.

Motion seconded by Councilmember Lipscomb.

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

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Chaney abstaining)

Assigned ORDINANCE NO. 23968.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2356

Item 103: Zoning Case Z989-212/10873-SW(SS)

The consent zoning docket, consisting of agenda items 97-110 was presented.

Councilmember Chaney requested that consent zoning docket item 103 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 103 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Chaney's request.

Later in the meeting zoning docket item 103 was brought up for consideration.

A public hearing was called on zoning case Z989-212/10873-SW(SS), an application for and an ordinance granting an RR Regional Retail District on property presently zoned an MF-2 (A) Multifamily District on the north side of Interstate Highway 20, east of Polk Street, and a resolution authorizing acceptance of a deed restriction 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:

-- Robert Reeves, 500 S. Ervay St., representing the applicant

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

Motion seconded by Councilmember Loza.

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

Voting Yes: [11] Poss, Salazar, Loza, Thornton Reese, Mallory Caraway,
Chaney, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No: [0]
Absent when vote taken: [4] Kirk, Miller, Hill, Lipscomb

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

August 12, 1999 8:45 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

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

Mayor Pro Tem Poss moved to reconsider the zoning consent docket item 103.

Motion seconded by Councilmember Mallory Caraway.

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

Motion seconded by Councilmember Mallory Caraway and unanimously adopted. (Chaney abstaining; Lipscomb absent when vote taken)

Assigned ORDINANCE NO. 23969.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2357

Item 104: Zoning Case Z989-213/10871-NW(SS)

Zoning Case Z989-213/10871-NW(SS), an application for and an ordinance granting a CS Commercial Service District on property presently zoned a CR Community Retail District at the south corner of Harry Hines Boulevard and Anson Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23970.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2358

Item 105: Zoning Case Z989-216/6578-NC(SS)

The consent zoning docket, consisting of agenda items 97-110 was presented.

Councilmember Greyson requested that consent zoning docket item 105 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 105 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Greyson's request.

Later in the meeting zoning docket item 105 was brought up for consideration.

A public hearing was called on zoning case Z989-216/6578-NC(SS), an application for and an ordinance granting a Planned Development District for a Private School (Solomon Schechter Academy), a Child-Care Facility and R-10(A) Single Family District Uses on property presently zoned as Planned Development District No. 253 for a Private School Use, Planned Development District No. 223 for Shopping Center Uses, and Planned Development District No. 106 for R-10 Single Family District Uses at the southwest corner of Frankford Road and Hillcrest Road.

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

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

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

Motion seconded by Councilmember Lipscomb and unanimously adopted.

Assigned ORDINANCE NO. 23971.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2359

Item 106: Zoning Case Z989-217/10874-NW(MB)

Zoning Case Z989-217/10874-NW(MB), an application for and an ordinance granting an IR Industrial Research District on property presently zoned an R-7.5(A) Single Family District on the east side of Newberry Street, south of Larson Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23972.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2360

Item 107: Zoning Case Z989-220/74-NE(MB)

Zoning Case Z989-220/74-NE(MB), an application for and an ordinance granting an amendment to Planned Development District No. 273 for Mini-warehouse Uses to permit outside storage of recreational vehicles, boats, and cars in addition to mini-warehouse uses in the Phase III area on the northwest side of Ferguson Road, northeast of Highland Road.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23973.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2361

Item 108: Zoning Case Z989-223/10895-SW(BP)

Zoning Case Z989-223/10895-SW(BP), an application for and an ordinance granting an R-10(A) Single Family District on property presently zoned an (A)A Agricultural District on the east side of Dixie Garden Court, north of Dixie Garden Lane.

(The city plan commission recommended approval.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 23974.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2362

Item 109: Zoning Case Z989-227/10896-C(BP)

The consent zoning docket, consisting of agenda items 97-110 was presented.

Councilmember Forsythe Lill requested that consent zoning docket item 109 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 109 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Forsythe Lill's request.

Later in the meeting zoning docket item 109 was brought up for consideration.

A public hearing was called on zoning case Z989-227/10896-C(BP), an application for and an ordinance granting an amendment to the conditions for Planned Development District No. 184 for Office, Retail and Residential Uses, and replacing the development plan and a landscape plan for Zones 1A and 1B combined on property at the north corner of Cedar Springs Road and Carlisle Street.

(The city plan commission recommended approval.)

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

Appearing in favor of the city plan commission recommendation:

-- Kirk Williams, 5400 Renaissance Tower, representing the applicant

Councilmember Forsythe Lill moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance with the following change:

“All uses permitted in an O-2 Office District, including “limited uses” and a maximum of 25,000 square feet of floor area of Bar and Restaurant uses and Retail uses (with separate entrances allowed), as those terms are defined in the Dallas Development Code”

and pass the ordinance with that change.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23975.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 12, 1999 8:45 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

August 11, 1999

99-2363

Item 110: Zoning Case Z989-228/10167-C(LS)

The consent zoning docket, consisting of agenda items 97-110 was presented.

Councilmember Forsythe Lill requested that consent zoning docket item 110 be removed from the consent zoning docket to be called as an individual hearing. Mayor Kirk stated that consent zoning docket item 110 would be removed from the consent zoning docket to be called as an individual hearing, there being no objection to Councilmember Forsythe Lill's request.

Later in the meeting zoning docket item 110 was brought up for consideration.

A public hearing was called on zoning case Z989-228/10167-C(LS), a City Plan Commission authorized hearing to determine the proper zoning on property within Planned Development District No. 462 and No. 462-Dry, the Henderson Avenue Special Purpose District, with consideration being given to determining whether "concrete or materials giving the appearance of concrete or stucco" should be added to the list of permitted facade materials within Subareas 1, 3 and 5 within the Planned Development District on both sides of Henderson Avenue between North Central Expressway and Ross Avenue and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

Councilmember Forsythe Lill moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance with the following change:

"Any facade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete or stucco as a primary facade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that facade area, excluding windows and doors"

and pass the ordinance with that change.

Motion seconded by Councilmember Loza and unanimously adopted.

Assigned ORDINANCE NO. 23976.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2364

Item 111: DEVELOPMENT CODE AMENDMENT - CONSENT

Consideration of an amendment to the Dallas Development Code amending Section 51-4.301(e) to make the parking lot lighting requirements consistent with those contained in Section 51A-4.301(e), and an ordinance implementing the proposal.

(The city plan commission recommended approval.)

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

Deputy Mayor Pro Tem Salazar moved to postpone consideration of the amendment until the September 8, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2365

Item 112: Public Hearing - Zoning Case Z978-327-10675-NW(ML)

A public hearing was called on zoning case Z978-327-10675-NW(ML), an application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses, MF-2 Multiple Family Subdistrict Uses, and certain GR General Retail Subdistrict Uses on property presently zoned a TH-3 Townhouse Subdistrict, an LC Light Commercial Subdistrict, and a P Parking Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the north and east corners of Harry Hines Boulevard and Throckmorton Street.

(The city plan commission recommended approval of a Planned Development Subdistrict for certain GR General Retail Subdistrict Uses on a portion of the site, subject to a conceptual plan and conditions, and denial without prejudice of O-2 Office Subdistrict Uses and MF-2 Multiple Family Subdistrict Uses on the remainder of the area of request.

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

Councilmember Loza moved to postpone consideration of the application until the September 8, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2366

Item 113: Public Hearing - Zoning Case Z989-191/10849-C(SS)

A public hearing was called on zoning case Z989-191/10849-C(SS), an application for a Planned Development District for MC-3 Multiple Commercial District Uses with retention of the Dry Overlay District on property presently zoned an MC-1-D Multiple Commercial-Dry District and an MC-1 Multiple Commercial District, and an application for the termination of the existing deed restrictions on property on the east side of Central Expressway between Lee Street and Nomah Street, and a resolution authorizing acceptance of an instrument terminating the existing deed restrictions, and an ordinance granting a Planned Development District for MC-1 Multiple Commercial District Uses with retention of the Dry Overlay District.

(The city plan commission recommended approval of a Planned Development District for MC-1 Multiple Commercial District Uses in lieu of the requested MC-3 Multiple Commercial District Uses with retention of the Dry Overlay District, subject to a development 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 Forsythe Lill moved to close the public hearing, accept the recommendation of the city plan commission, pass the ordinance and approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted.

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

Councilmember Forsythe Lill moved to reconsider zoning docket item 113.

Motion seconded by Councilmember Loza.

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

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

Assigned ORDINANCE NO. 23977.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2367

Item 114: 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. This application was considered by the City Council at a public hearing on April 28, 1999, and was taken under advisement until August 11, 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 and deny the application without prejudice.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2368

Item 115: Public Hearing - Zoning Case Z989-173/10807-NC(PN)

A public hearing was called on zoning case Z989-173/10807-NC(PN), an application for and an ordinance granting a CR Community Retail District on property presently zoned an NO(A) Neighborhood Office District with Specific Use Permit No. 2 for an Electric substation, and an application for and an ordinance granting the termination of Specific Use Permit No. 2 at the southwest corner of Dallas North Tollway and Alpha Road.

(The city plan commission recommended approval of a CR Community Retail District, and approval of the termination of Specific Use Permit No. 2.: This application was considered by the City Council at a public hearing on June 23, 1999, and was taken under advisement until August 11, 1999, with the public hearing open.)

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

Councilmember Finkelman moved to postpone consideration of the application until the September 8, 1999 voting agenda meeting of the city council and to continue the public hearing at that time.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2369

Item 116: Public Hearing - THOROUGHFARE PLAN AMENDMENT

A public hearing was called on to authorize an amendment to the Thoroughfare Plan to delete Pierce Street from Saner Avenue to Kiest Boulevard and an ordinance implementing the change - Financing: No cost consideration of the City.

No one addressed the city council regarding the Thoroughfare Plan Amendment.

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

Motion seconded by Councilmember Blumer and unanimously adopted.

Assigned ORDINANCE NO. 23978.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2370

PUBLIC HEARING - BENEFIT ASSESSMENT HEARING

Timberline Drive from Community Drive to Storey Lane

- Item 117: * Benefit assessment hearing for sidewalk paving improvements and water adjustments for the street listed above
- Item 118: * Ordinance levying benefit assessments for sidewalk paving improvements and water adjustments for the street listed above
- Item 119: * Authorize a contract for the construction of sidewalk paving improvements and water adjustments for the street listed above - Onycha Industries, lowest responsible bidder of five - \$79,340 - Financing: 1998 Bond Funds (\$78,740), Water Utilities Capital Construction Funds (\$600)

A public hearing was called to receive comments on a proposal to levy benefit assessments for sidewalk paving improvements and water adjustments for Timberline Drive from Community Drive to Storey Lane.

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

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

Motion seconded by Councilmember Walne and unanimously adopted.

Assigned ORDINANCE NO. 23979.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2371

Public Hearing - BENEFIT ASSESSMENT HEARING

Modella Avenue from Dennis Road to Allister Street

- Item 120: * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 121: * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the street listed above
- Item 122: * Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on the street listed above - Ed Bell Construction Company, lowest responsible bidder of five - \$342,494 - Financing: 1998 Bond Funds (\$245,286), Water Utilities Bond Funds (\$89,808), Water Utilities Capital Construction Funds (\$7,400)

A public hearing was called to receive comments on a proposal to levy benefit assessments for street paving, storm drainage, water and wastewater main improvements for Modella Avenue from Dennis Road to Allister Street.

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

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

Motion seconded by Councilmember Finkelman and unanimously adopted.

Assigned ORDINANCE NO. 23980.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2372

Item 123: 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

August 11, 1999

99-2373

Item 124: Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A)

There were no appointment of members to the DART Board.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2374

Item 125: Approval of the 1999-2000 D/FW International Airport Board Annual Budget -
Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to approve the item.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2375

Item 126: **Public/Private Partnership Program**

- * Amend the City of Dallas *Public/Private Partnership Program* Guidelines & Criteria to provide (1) that tax abatement shall be offered for a percentage and duration “up to” the maximum allowable percentage and duration under the City's adopted Enterprise and Commercial Zones for projects meeting established minimum eligibility criteria; and (2) that tax abatement for existing companies considering a relocation outside of the city will be provided on a case by case basis with flexible terms -Financing: No cost consideration to the City

Councilmember Walne moved to approve the item.

Motion seconded by Councilmember Greyson.

After discussion, Mayor Kirk called the vote on the motion and announced that council approval of the abatement required the favorable vote of three-fourths of all members of the council:

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

Voting No: [0]

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2376

Item 127: **Public/Private Partnership Program**

- * Amend the City of Dallas *Public/Private Partnership Program* Guidelines & Criteria to provide that the "but for" test be applicable in all areas of the city - Financing: No cost consideration to the City

Councilmember Walne moved to table the item indefinitely.

Motion seconded by Councilmember Chaney and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2377

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
- Dallas Police Association et al. v. City of Dallas, Civil Action No. 3:99-CV-1497-G

The posted closed session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2378

BRIEFING: A. Potential Impact on FY 99-00 Budget of Southwestern Bell Telephone Company's Notice of Termination of Payments for the Use of Rights-of-Way

Mayor Kirk called a recess of the meeting in order that the city council could 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.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2379

Addendum addition 1: Authorize hardship relief for Millwee Outdoor Advertising for property at 5445 E. Mockingbird Lane, east of Central Expressway from the citywide moratorium on the acceptance of applications for detached non-premise sign permits (Resolution No. 991883, adopted by the City Council on June 9, 1999) - Financing: No cost consideration to the City

Mayor Pro Tem Poss moved to defer the item for a period not more than 90 days.

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

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2380

Addendum addition 2: Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 2 tracts of unimproved land containing a total of approximately 325 square feet, from Uptown Properties, Inc., located at the intersection of Field and Wichita Streets - \$16,780 - Financing: 1995 Bond Funds

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2381

Addendum addition 3: Authorize (1) a public hearing to be held on August 25, 1999 to receive citizen comments and concerns regarding the proposed amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) to reflect the dedication to tax revenues from Dallas Independent School District (DISD), Dallas County and Dallas County Hospital District (DCHD) to the Cedars TIF District; (2) consideration at the close of the hearing an ordinance amending the Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District to include such participation; and (3) authorize the City Manager to enter into tax increment participation agreements with DISD, Dallas County and DCHD for the Cedars TIF District - Financing: No cost consideration to the City

Councilmember Loza moved to approve the item.

Motion seconded by Councilmember Forsythe Lill and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2382

Addendum addition 4: Authorize an increase in the contract with American Restoration, Inc. for cleaning portions of the south, east and west facades at the Morton H. Meyerson Symphony Center at Betty B. Marcus Park - \$49,000, from \$242,291 to \$291,291 - Financing: Current Funds

Councilmember Forsythe Lill moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2383

Addendum addition 5: Authorize a professional services contract with the law firm of Dow, Cogburn & Friedman, P. C., for legal services necessary in the lawsuits, styled 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, and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$100,000 - Financing: Current Funds

Mayor Pro Tem Poss moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2384

Addendum addition 6: A resolution amending Resolution No. 98-3606, as amended by Resolution 99-1889, to extend the authority, power, and duties of the ethics review task force past August 18, 1999 (via Mayor Kirk)

Councilmember Walne moved to approve the resolution.

Motion seconded by Councilmember Loza and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2385

Addendum addition 7: (A) A motion to reconsider approval of the appropriation of \$60,000 of CDBG funding for site acquisition by Johnnie's Manor, Inc. as part of the FY 1999-2000 Consolidated Plan Budget

and if (A) passes

(B) A motion to approve the appropriation of \$60,000 of CDBG funding for site acquisition by Johnnie's Manor, Inc. as part of the FY 1999-2000 Consolidated Plan Budget

and if (B) fails

(C) A motion to allocate \$60,000 of CDBG funding as "unprogrammed" funds as part of the FY 1999-2000 Consolidated Plan Budget, to be reprogrammed at a later date

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.

Mayor Kirk called a recess of the meeting in order that the city council could meet in order that the city council could 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.

Councilmember Miller moved to reconsider approval of the appropriation of \$60,000 of CDBG funding for site acquisition by Johnnie's Manor, Inc. as part of the FY 1999-2000 Consolidated Plan Budget.

Motion seconded by Councilmember Blumer.

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

Voting Yes:	[9]	Kirk, Poss, Loza, Miller, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[3]	Thornton Reese, Hill, Mallory Caraway
Abstain:	[1]	Lipscomb
Absent when vote taken:	[2]	Salazar, Chaney

Mayor Kirk declared the motion adopted.

Councilmember Hill moved to approve the appropriation of \$60,000 of CDBG funding for site acquisition by Johnnie's Manor, Inc. as part of the FY 1999-2000 Consolidated Plan Budget.

Motion seconded by Councilmember Chaney.

Councilmember Miller moved to substitute for Councilmember Hill's motion a motion to allocate \$60,000 CDBG funding as "unprogrammed" funds as part of the FY 1999-2000 Consolidated Plan Budget, to be reprogrammed at a later date.

Motion seconded by Councilmember Blumer.

After discussion, Mayor Kirk called the motion on Councilmember Miller's substitute motion:

Voting Yes:	[9]	Kirk, Poss, Loza, Miller, Walne, Finkelman, Greyson, Blumer, Forsythe Lill
Voting No:	[4]	Thornton Reese, Hill, Mallory Caraway, Chaney
Abstain:	[1]	Lipscomb
Absent when vote taken:	[1]	Salazar

Mayor Kirk declared the motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

August 11, 1999

99-2386

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, AUGUST 11, 1999

EXHIBIT C

August 12, 1999 8:45 a.m.
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OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS