MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 8, 1996

96-1595

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

PRESENT: [14] Kirk, Wells, Salazar, Luna, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Poss, Fielding, Blumer, McDaniel
ABSENT: [0]

The meeting was called to order at 9:14 a.m.

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

The invocation was given by the Dr. Jeff Warren, Park Cities Baptist Church, Councilmember-elect Alan Walne's pastor.

The city council received the report of the committee appointed to canvass the returns of the May 4, 1996 special election and adopted a resolution declaring that Alan Walne has been elected Member of Council, Place 10. Mr. Walne subscribed to the Oath of Office and took his place as a member of the city council.

PRESENT: [15] Kirk, Wells, Salazar, Luna, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel
ABSENT: [0]

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 3:25 p.m.

Mayor

ATTEST:

City Secretary

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MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, MAY 8, 1996

96-1595

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

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.

# E X H I B I T  A

# E X H I B I T  B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1596

Receive report of canvassing committee and adopt a resolution accepting the canvassing committee's report declaring the results of the May 4, 1996, special election

Councilmember Lipscomb, chair of the ad hoc canvassing committee, presented the committee's report to the city council.

Councilmember Luna moved approval of a resolution accepting the report and declaring the results of the May 4, 1995 city of Dallas special election.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1597

Oath of Office - newly elected councilmember Place 10

The regular voting agenda meeting of the city council was called to order at 9:14 a.m. The city secretary announced that a quorum of the city council was present.

The invocation was given by the Dr. Jeff Warren, Park Cities Baptist Church, Councilmember-elect Alan Walne's pastor.

The city council received the report of the committee appointed to canvass the returns of the May 4, 1996 special election and adopted a resolution declaring that Alan Walne has been elected Member of Council, Place 10.

Mayor Ron Kirk administered to oath of office to Mr. Walne, who then took his place as a member of the city council.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1598

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: | Martha Emlaku, 9818 Valley Meadow Ct. |
| SUBJECT: | Cultural awareness |

At the request of Councilmembers Duncan and Mallory Caraway the following students from Townview Magnet School presented recommendations resulting from a class project to consider an economic development plan for the Trinity River:

| | |
|---|---|
| SPEAKER: | Bennie Estrada, 2111 Chalk Hill Rd. |
| SPEAKER: | Krystal Hopton, 1402 Harlandale Ave. |
| SPEAKER: | Denise Kelly 1820 Deer Path Dr. |
| SPEAKER: | Michael Wigley, 3030 N. St. Augustine Rd. |
| SPEAKER: | Dana Sheffield, 4617 Oak Trl. |

OPEN MICROPHONE - END OF MEETING:

| | |
|---|---|
| SPEAKER: | Teresa Jones, 2031 High Hill Blvd. |
| REPRESENTING: | Resident Council of Goodhaven Apartments |
| SUBJECT: | The need for an intersection light |

| | |
|---|---|
| SPEAKER: | George Hicks, 8134 San Cristobal Ave. |
| SUBJECT: | Devotional message |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1599

Item 1: Approval of Minutes

The minutes of the voting agenda meeting of April 24, 1996, were presented for approval.

Councilmember Luna moved to approve the minutes.

Motion seconded by Councilmember Mallory Caraway and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1600

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-30, was presented for consideration.

The city secretary announced that his office had received written notice from members of the city council that consent agenda item 30 had been deferred until the next voting agenda meeting of the city council and notice that the item had been deferred had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

The city secretary announced that his office had received written notice from the city manager that consent agenda item 25 had been deleted from the agenda and notice that the item had been deleted had been posted in accordance with Subsection 7.11 of the City Council Rules of Procedure.

No one appeared to comment on consent agenda items.

Councilmember Hicks moved to approve all items on the consent agenda with the exception of item 30 which had been deferred until the next voting agenda meeting of the city council at the request of members of the council, and item 25 which had been deleted by the city manager.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1601

Item 2: Authorize professional services contracts with six architectural, engineering and landscape architectural firms to provide design services for projects funded as follows: five 1995 Bond Funds and one 1985 Bond Funds - $235,945 - Financing: 1995 Bond Funds ($149,195), 1985 Bond Funds ($86,750)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1602
96-1603

Item 3: Engineering and Architectural Contracts

* Authorize a Professional Services Contract with Oglesby-Greene, Inc. for design services for repairs to the Great Hall Wing and the North Entry Area of the Hall of State building at Fair Park in the amount of $55,923 - Financing: 1995 Bond Funds

Item 4: Engineering and Architectural Contracts

* Authorize a Professional Services Contract with Paragon Project Resources, Inc. for design services for replacement of the roof for the Bird and Reptile building located at the Zoo in the amount of $27,862 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

[Note: The professional services contract with Oglesby-Greene, Inc. (Item 3) and the professional services service contract with Paragon Project Resources, Inc. (Item 4) were listed on the agenda as two separate items. There was a single resolution authorizing both contracts.]

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1604

Item 5: Authorize a contract for the construction of Water and Wastewater Mains in Walnut Hill Lane, Brenner Drive, Manana Drive, Parkridge Drive and High Lark Drive - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of eight - $1,444,172.25 - Financing: Water Utilities Capital Construction Funds ($792,005.25) and Water Utilities Bond Funds ($652,167)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1605

Item 6: Authorize a contract for the construction of water mains in Bluffcreek Drive, Eldon Drive, Hawley Lane, Jordan Valley Road, Coldbrook Lane and Silver Brook Road - J.C. Evans Construction Co., Inc., lowest responsible bidder of seven - $976,322 - Financing: Water Utilities Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1606

Item 7: Authorize an increase in the contract with Adams Nedderman, Inc. to furnish and install fencing at the front entry, parking and plaza areas, in conjunction with the General Construction for Dallas Zoo 2000+ Construction (Phase I), in the amount of $79,968, from $1,224,712 to $1,304,680 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1607

Item 8: Authorize an increase in the contract with H.C.C. Contractors, Inc., DBA Holzem Companies for construction of improvements for Martin Luther King, Jr. Community Center, Phase I, in the amount of $47,051 increasing the contract from $193,650 to $240,701 - Financing: 1992-93 Community Development Grant Funds ($18,386.70), 1994-95 Community Development Grant Funds ($28,664.30)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1608

Item 9: Authorize calling of a benefit assessments hearing for street paving and storm drainage improvements on Barnett Avenue from Ninth Street to Davis Street to be held June 26, 1996 - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1609

Item 10: Authorize calling of a benefit assessments hearing for street paving, storm drainage and water and wastewater main improvements on Ingersoll Street from Chippewa Drive to Fannie Street to be held June 12, 1996 - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1610

Item 11: Authorize calling of a benefit assessments hearing for street, storm drainage, water and wastewater main improvements on Louisiana Avenue from Beckley Avenue to Seevers Avenue to be held June 12, 1996 - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1611

Item 12: Authorize calling of a benefit assessments hearing for alley paving, storm drainage, water and wastewater main improvements on Alley Group 1103 to be held June 26, 1996 - Financing: This action has no cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1612

Item 13: Authorize acquisition of individual avigation easements over 142 residential properties above approximately 17 acres of land located in the City of Irving, Texas for D-FW International Airport Expansion project - $3,692,312.50 ($1,772,310 in easement acquisition payments and $1,920,002.50 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost to the City of Dallas)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1613

Item 14: Ranchita Branch Phase I

* Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Audie Loraine Zear, of approximately 8,385 square feet of land for a wastewater easement, located near the intersection of Cedar Circle Drive and Lewisburg Lane for Ranchita Branch Phase I, - $2,100 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1614

Item 15: Ranchita Branch Phase I

* Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Sam Servidio, Sr., of approximately 582 square feet of land for a wastewater easement and 803 square feet for a temporary working space easement, located near the intersection of Cedar Circle Drive and Lewisburg Lane for Ranchita Branch Phase I - $100 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1615

Item 16: Prairie Creek

* Authorize the purchase of approximately 15,434 square feet of land from Gary Lee Lakey and Judy Lynn Lakey, improved with a single family dwelling and landscaping, located near the intersection of Dartway Drive and Gatecove Drive, to remove residential structures from the flood plain in the Prairie Creek area - $55,000 and eligible relocation benefits, not to exceed $22,500 for owner-occupied property plus moving expenses - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1616

Item 17: Prairie Creek

* Authorize the purchase of approximately 14,311 square feet of land from Robert Vencil Jones and Myrtle Camilla Jones, improved with a single family dwelling and landscaping, located near the intersection of Dartway Drive and Gatecove Drive, to remove residential structures from the flood plain in the Prairie Creek area - $53,500 and eligible relocation benefits, not to exceed $5,250 for tenant-occupied property plus moving expenses - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1617

Item 18: Prairie Creek

* Authorize the purchase of approximately 11,177 square feet of land from Rosa Medina, improved with a single family dwelling and landscaping, located at the intersection of Dartway Drive and Gatecove Drive, to remove residential structures from the flood plain in the Prairie Creek area - $61,000 and eligible relocation benefits, not to exceed $22,500 for owner-occupied property plus moving expenses - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1618

Item 19: Authorize settlement in lieu of proceeding to a jury trial for approximately 956 square feet of land for a temporary working space easement and 2,518 square feet of land in fee simple title from Centex Development and Management Company, et al., located near the intersection of Watkins Avenue and Jewett Alley for improvements to North Central Expressway - $240,000 - City's 25% share $60,000 ($8,127.50 previously paid) - Financing: 1989 Bond Funds (75% of total cost to be paid by the State)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1619

Item 20: Authorize a contract for the modernization and sixty months maintenance of all four elevators at the parking garage of Dallas Love Field Airport with the lowest responsible bidder of three - Fujitec America, Inc. - Not to exceed $167,694 - Financing: Aviation Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1620

Item 21: Authorize a contract for a twenty-four month price agreement for the printing and mailing of tax statements with the lowest responsible bidder of three - KPT, Inc - Not to exceed $145,350 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1621

Item 22: Authorize the purchase of a cash processing system - System Innovators, Inc., most advantageous proposal of two - Not to exceed $314,423 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1622

Item 23: Authorize the rejection of a single bid received for a twenty-four month price agreement for sign posts, and authorize readvertisement for new bids - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1623

Item 24: Approve the selection of McCall, Parkhurst & Horton, L.L.P. and Ronquillo & DeWolf, P.C. (Team A) and Vinson & Elkins, L.L.P. and Robinson West & Gooden, P.C. (Team B) to provide bond counsel and co-bond counsel services to the City and authorize the execution of professional services contracts with the law firm teams for a period of three years, with an option to renew for two additional years - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities current funds, contingent upon completion of sale, and fees for "additional services" to be paid from current funds in an amount not to exceed $50,000 per annum

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1624

Item 25: Authorize calling a public hearing on May 22, 1996 to receive citizen comments on the 1996-97 Proposed Consolidated Plan Budget for selected U.S. Department of Housing and Urban Development (HUD) grant funds and the 1995-96 Proposed Community Development Block Grant Reprogramming Budget - Financing: This action has no cost consideration to the City

The city secretary announced that the city manager had deleted consent agenda item 25 from the agenda in accordance with Subsection 7.11 of the City Council Rules of Procedure.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1625

Item 26: Authorize a contract with The Bethlehem Foundation for a Family Stabilization Program in Southern Dallas for the provision of emergency aid and case management services to the indigent for the period of April 1, 1996 through March 31, 1997 - $65,000 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1626

Item 27: Authorize the execution of a secured no-interest loan contract with I Am That I Am Center for $16,000 for the renovation and $19,000 for the acquisition (total of $35,000) of a facility located at 4933 Veterans Drive, Dallas, Dallas County, Texas, to provide services to deter youth gang involvement for a minimum five year period starting on approximately May 31, 1996. Agencies that purchase property with Community Development Block Grant Funds are required to provide a public service to eligible persons for a minimum of five years. - $35,000 - Financing: FY 1995-96 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1627

Item 28: Authorize support of the Interstate 35E from Interstate 20 to Parkerville Road reconstruction and widening project by the Texas Department of Transportation (TxDOT) - Financing: No cost consideration

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1628

Item 29: Authorize an Interlocal Agreement (ILA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of rehabilitation improvements to the Houston Street Viaduct from Hotel Street to approximately 1850 feet south of Hotel Street - $500,000 - Financing: 1995 Bond Program

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1629

Item 30: An ordinance amending Chapter 28 of the Dallas City Code to designate metered parking areas; to require City Council approval of certain parking meter installations; and to require notice to the City Council members of parking meter installations in their districts - Financing: No cost consideration to the City

The city secretary announced that Councilmembers Luna and Fielding had deferred consideration of consent agenda item 30 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

May 8, 1996

96-1630

Item 31: Public Hearing

A public hearing to receive citizen comments in preparation of the FY 1996-97 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

No one addressed the city council regarding the FY 1996-97 Operating, Capital, Grant and Trust budgets.

Councilmember Luna moved to close the public hearing.

Motion seconded by Councilmember Stimson and unanimously adopted. (Hicks, Mallory Caraway, Lipscomb, Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1631

MobileMedia Communications, Inc.

Item 32: * A public hearing was called to receive citizen comments concerning the creation of a reinvestment zone for commercial-industrial tax abatement, to be known as City of Dallas Reinvestment Zone Number 30, consisting of approximately 7.59 acres located at 8901 Autobahn Drive, City of Dallas, Texas, 75237 for the purpose of granting tax abatement on the new tangible personal property to MobileMedia Communications, Inc. - Financing: No cost consideration to the City

No one addressed the city council regarding the creation of Dallas Reinvestment Zone Number 30.

Councilmember Stimson moved to close the public hearing.

Motion seconded by Councilmember Luna and unanimously adopted. (Hicks, Mallory Caraway, Lipscomb, Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1632

MobileMedia Communications, Inc.

Item 33: * Authorize an ordinance designating property located at 8901 Autobahn Drive, Dallas, Texas 75237 consisting of approximately 7.59 acres, as City of Dallas Reinvestment Zone Number Thirty (30), for commercial-industrial tax abatement for the purpose of granting tangible personal property tax abatement to MobileMedia Communications, Inc., establishing the boundaries thereof, and providing for an effective date - Financing: No cost consideration to the City

Councilmember Stimson moved to pass the ordinance.

Motion seconded by Councilmember Mayes and unanimously adopted. (Hicks, Mallory Caraway, Lispcomb, Poss absent when vote taken)

Assigned ORDINANCE NO. 22745.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1633

MobileMedia Communications, Inc.

Item 34: * Authorize (i) a tangible personal property tax abatement agreement with MobileMedia Communications, Inc. and its lessor Stoneridge Associates Limited Partnership for abatement of taxes on new tangible personal property for the relocation of its Customer Services call center facility; and (ii) a 100% development fee rebate in an amount not to exceed $25,000 on property located within City of Dallas Reinvestment Zone Number Thirty (30), consisting of approximately 7.59 acres located at 8901 Autobahn Drive, Dallas, Texas, 75237 - Not to exceed $25,000 - Financing: Public/Private Partnership Fund - Revenue: First year tax revenue at $3,227 (Estimated revenue foregone for 10-year abatement $290,390)

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Mayes and unimously adopted. (Hicks, Mallory Caraway, Lipscomb, Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1634

PUBLIC HEARING - ZONING CASES - CONSENT

The consent zoning docket, consisting of agenda items 35-42, was presented.

Agenda items 36 and 41 were removed from the consent zoning docket, to be called as individual hearings.

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

| | | |
|---|---|---|
| Agenda item 35: | Zoning Case Z956-165/8443-NW/(PN) | |
| ~~Agenda item 36:~~ | ~~Zoning Case Z956-166/10016-NE(KC)~~ | [Considered individually] |
| Agenda item 37: | Zoning Case Z956-168/797-SW(KC) | |
| Agenda item 38: | Zoning Case Z956-169-680-C(KC) | |
| Agenda item 39: | Zoning Case Z956-170/3136-SE(KC) | |
| Agenda item 40: | Zoning Case Z956-171/6613-SE(KC) | |
| ~~Agenda item 41:~~ | ~~Zoning Case Z956-172/6377-C/SE(LS)~~ | [Considered individually] |
| Agenda item 42: | Zoning Case Z956-189/10038-NW(KC) | |

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 Fielding 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 Mayes and unanimously adopted. (Hicks, Mallory Caraway, Lipscomb, Poss absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1635

Item 35: Zoning Case Z956-165/8443-NW/(PN)

Zoning Case Z956-165/8443-NW/(PN), a City Plan Commission authorized hearing to consider the granting of a Specific Use Permit for a Financial Institution with drive-in windows within Subarea A of Tract I in Planned Development District No. 314, the Preston Center Special Purpose District, on the south side of Northwest Highway, east of Lomo Alto Street, and an ordinance granting the proposed Specific Use Permit.

(The city plan commission recommended approval of a Specific Use Permit for a Financial Institution with drive-in windows for a permanent time period, subject to a site plan/landscape plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22746.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1636

Item 36: Public Hearing - Zoning Case Z956-166/10016-NE(KC)

A public hearing was called on zoning case Z956-166/10016-NE(KC), an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District Uses and Vehicle Display, Sales, and Service Uses on property presently zoned an MU-3 Mixed Use District on the east side of North Central Expressway, north of Forest Lane.

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

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

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

Motion seconded by Councilmember Stimson and unanimously adopted.

Later in the meeting Councilmember Walne moved to reconsider the previous vote concerning zoning case Z956-166/10016-NE(KC). Councilmember Walne stated that he had voted with the prevailing side when the vote was taken.

Motion seconded by Mayor Pro Tem Wells.

After discussion, Mayor Kirk called the vote on Councilmember Walne's motion to reconsider the vote concerning zoning case Z956-166/10016-NE(KC), and declared the motion to reconsider unanimously adopted.

Mayor Kirk declared the motion to reconsider was adopted, and that Councilmember Walne's motion to approve the application in zoning case Z956-166/10016-NE(KC), was before the council for reconsideration.

Councilmember Walne moved to modify the recommendation of the city plan commission by adding additional conditions to provide:

> "The test driving and customer demonstration of vehicles are prohibited on minor streets located in residential zoning districts, and
>
> "No trucks, in delivering vehicles to the property, may travel on minor streets, and all deliveries must be made in compliance with CHAPTER 28, "Motor Vehicles and Traffic," of the Dallas City Code, as amended"

and to approve the application and pass the ordinance with those changes.

Motion seconded by Councilmember Stimson and unanimously adopted.

Assigned ORDINANCE NO. 22747.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1637

Item 37: Zoning Case Z956-168/797-SW(KC)

Zoning Case Z956-168/797-SW(KC), an application for and an ordinance granting an amendment to Specific Use Permit No. 426 for a YMCA on property presently zoned an R-10(A) Single Family District to change the use to a Community Service Center and to allow the lighting of existing baseball fields on property at the southwest corner of South Hampton Road and Matland Drive.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22748.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1638

Item 38: Zoning Case Z956-169/680-C(KC)

Zoning Case Z956-169/680-C(KC), an application for and an ordinance granting a Planned Development District for a Public School and certain MF-2(A) Multifamily District Uses on property presently zoned an MF-2(A) Multifamily District on the southeast side of East Grand Avenue, southwest of LaVista Drive.

(The city plan commission recommended approval, subject to certain MF-2(SAH) Multifamily (Standard Affordable Housing District) Uses in lieu of the requested MF-2(A) Multifamily District Uses, and subject to a development plan, landscape plan and conditions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22749.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1639

Item 39: Zoning Case Z956-170/3136-SE(KC)

Zoning Case Z956-170/3136-SE(KC), an application for and an ordinance granting a Specific Use Permit for a Hotel or Motel on property presently zoned a CR-D-1 Community Retail-Dry District on the north side of C.F. Hawn Freeway, east of St. Augustine Road.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22750.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1640

Item 40: Zoning Case Z956-171/6613-SE(KC)

Zoning Case Z956-171/6613-SE(KC), an application for and an ordinance granting a Specific Use Permit for a Mini-warehouse on property presently zoned a CR-D-1 Community Retail-Dry District and an application to terminate the existing deed restrictions on property on the south side of Lake June Road, east of Masters Drive and a resolution accepting an instrument terminating the existing deed restrictions.

(The city plan commission recommended approval of a Specific Use Permit for Mini-warehouses for a permanent time period, subject to a site plan, landscape plan, and conditions, and approval of the termination of the existing deed restrictions.)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22751.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1641

Item 41: Public Hearing - Zoning Case Z956-172/6377-C/SE(LS)

A public hearing was called on zoning case Z956-172/6377-C/SE(LS), a City Council authorized hearing to consider amendments to the uses currently allowed within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, with consideration being given to the elimination of certain uses on an area generally bounded by Interstate 30, Second Avenue, Parry Avenue, the T & P Railroad and Interstate 45, and an ordinance granting the proposed amendments.

(The city plan commission recommended approval of the elimination and modification of certain uses.)

Appearing in opposition to the city plan commission recommendation:

-- Mike Quilling, 2710 Commerce St., representing several property owners and business owners in the district
-- A.J. Crowell, 2710 Commerce St., representing Don Blanton
-- Tigger Liddell, 2602 Main St.
-- Stace Maples, 2811 Main St.
-- Karen Barrett, 2819 Commerce St.
-- Linda Hack, 3401 Main St.
-- Julie Armstrong, 1120 Akard St.

Appearing in favor of the city plan commission recommendation:

-- Bob Weis, 3003 Swiss Ave., representing the Meadows Foundation
-- Gaylon Johnson, 5205 Swiss Ave., representing Baylor Healthcare System
-- Guy Brignon, 2752 Gaston Ave., representing J.P.I. Texas Development
-- Susan Reese, 8626 Douglas Ave., representing S.D.L. Partners, Ltd.
-- Jerry Lenhan, 2622 Commerce St.
-- John Tatum, 4243 Beverly St., representing Southwest Properties
-- Newt Walker, 2912 Thomas Ave., representing Odd Fellow Joint Venture
-- Don Cass, 9005 Meadowknoll Cir., representing Deco Services

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

Motion seconded by Councilmember Mayes.

Councilmember Stimson moved to amend Councilmember Luna's motion to provide that the proposed requirement that tattoo parlors and body piercing studios would be allowed only by special use permit be deleted, and that tattoo parlors and body piercing studios be allowed by right.

Motion seconded by Councilmember Lipscomb.

Councilmember Hicks moved to amend Councilmember Luna's motion to provide that the proposed requirement that pawn shops would be prohibited uses be deleted, and that pawn shops be allowed by right.

Motion seconded by Councilmember Lipscomb.

After discussion Mayor Kirk called the vote on Councilmember Hicks' amendment concerning pawn shops:

| | | |
|---|---|---|
| Voting Yes: | [5] | Hicks, Mallory Caraway, Lipscomb, Fielding, Blumer |
| Voting No: | [10] | Kirk, Wells, Salazar, Luna, Stimson, Duncan, Mayes, Poss, Walne, McDaniel |

Mayor Kirk declared the amendment lost.

Mayor Kirk then called the vote on Councilmember Stimson's amendment concerning tattoo parlors and body piercing studios:

| | | |
|---|---|---|
| Voting Yes: | [7] | Stimson, Hicks, Mallory Caraway, Lipscomb, Poss, Fielding, Blumer |
| Voting No: | [8] | Kirk, Wells, Salazar, Luna, Duncan, Mayes, Walne, McDaniel |

Mayor Kirk declared the amendment lost.

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

| | | |
|---|---|---|
| Voting Yes: | [12] | Kirk, Wells, Salazar, Luna, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Poss, Walne, McDaniel |
| Voting No: | [3] | Lipscomb, Fielding, Blumer |

Mayor Kirk declared the motion adopted.

Assigned ORDINANCE NO. 22752.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1642

Item 42: Zoning Case Z956-189/10038-NW(KC)

Zoning Case Z956-189/10038-NW)KC), an application for and an ordinance granting a Planned Development District for a Halfway House and IR Industrial Research District Uses on property presently zoned an IR Industrial Research District at the north corner of Stemmons Freeway and Slocum Street.

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

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 22753.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1643

Item 43: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec.551.074, T.O.M.A.)

The city secretary distributed a report showing board and commission vacancies and nominations, updated through May 7, 1996.

Mayor Kirk recommended that the city council only consider appointing persons nominated to "individual-appointment" positions and to postpone other appointments. There being no objection to this procedure, Mayor Kirk asked the city secretary to review the board nominations report with the city council.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for some nominees. The city secretary stated that the report should now show that Robert C. Hinton, Jr., nominated to an "individual-appointment" position on the Dallas Citizens Police Review Board, and Lura E. Zipfel, nominated to an "individual-appointment" position on the Senior Affairs Commission, meet all qualifications for appointment to those boards.

. . .

Councilmember Luna moved to appoint to the boards and commissions of the city all of the individuals nominated to "individual-appointment" positions who meet all qualifications for appointment as determined by the city secretary and as reported to the city council for terms ending August 31, 1997 and to postpone consideration of individuals nominated to "full-council appointment" positions until a future meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted.

. . .

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

| | | |
|---|---|---|
| 96-1665 | CPR | DALLAS CITIZENS POLICE REVIEW BOARD |
| 96-1666 | SAC | SENIOR AFFAIRS COMMISSION |

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1644

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

Mayor Pro Tem Wells moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1645

Item 45: Authorize city-sponsorship in the form of direct and/or in-kind support of three special events entitled The Black Family Reunion Celebration ($6,500 in direct support, $1,000 in in-kind support), the Dallas AVP Open ($4,000 in direct support), and the TI Founders IMAX Theater "Countdown to Curtain" Neighborhood Block Party ($3,000 in direct support) in accordance with Resolution 95-0985, the Policy Statement and Procedure Guidelines for the City-sponsorship of Special Events Program - $13,500 - Financing: Current Funds

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Mayes.

Mayor Pro Tem Wells requested that the question be divided so that each of the three special events could be voted upon separately.

Mayor Kirk ordered the question divided, there being no objection raised to Mayor Pro Tem Wells' request.

Councilmember Mayes moved to authorize city-sponsorship of The Black Family Reunion Celebration.

Motion seconded by Councilmember Mallory Caraway.

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

Mayor Kirk declared the motion adopted on a divided voice vote.

Mayor Pro Tem Wells announced that he had a conflict of interest in the portion of agenda item 45 concerning the Dallas AVP Open and would abstain from voting or participating in any discussion. Mayor Pro Tem Wells left the city council chamber.

Councilmember Stimson moved to authorize city-sponsorship of the Dallas AVP Open.

Motion seconded by Councilmember Mayes.

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

Mayor Kirk declared the motion adopted on a divided voice vote.

Councilmember Mayes moved to authorize city-sponsorship of the TI Founders IMAX Theater "Countdown to Curtain" Neighborhood Block Party.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1596

Item 46: Receive report of the canvassing committee and adopt a resolution accepting the canvassing committee's report declaring the results of the May 4, 1996 special election

Councilmember Lipscomb, chair of the ad hoc canvassing committee, presented the committee's report to the city council.

Councilmember Luna moved approval of a resolution accepting the report and declaring the results of the May 4, 1995 city of Dallas special election.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1646

Actions to be considered if a runoff election is necessary:

Item 47: * Ordinance ordering a runoff election to be held Saturday, June 1, 1996 for the purpose of electing a member of the City Council to represent District 10 in which no candidate received a majority of the votes in the special election held May 4, 1996 - This action has no cost consideration

Item 48: * Resolution authorizing an extension of the joint election agreement and election services contract between the City of Dallas, other jurisdictions, and Dallas County for the conduct of a runoff election to be held on Saturday, June 1, 1996 - Estimated cost: Not to exceed $39,600 for a District 10 runoff - Financing: Contingency Reserve Funds

Item 49: * Resolution authorizing the mayor to appoint an ad hoc City Council canvassing committee to review the returns of the June 1, 1996 runoff election and submit a canvass report to the full City Council on Wednesday, June 5, 1996

Items deleted - no runoff election was necessary.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1647

Item 50: Authorize an amendment to the Floodplain Management Study for Cottonwood Creek to eliminate the Manderville Road parallel parkway alignment from Forest Lane to Churchill Way - Financing: This action has no cost consideration

The city secretary announced that Councilmember Fielding had deferred consideration of agenda item 50 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

May 8, 1996

96-1648

Item 51: Authorize a contract for the purchase and installation of a new automatic weather observing system at Dallas Heliport including sixty months maintenance with the lowest responsible bidder of two - AAI System Management, Inc. - Not to exceed $68,109 - Financing: Aviation Current Funds

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1649

Item 52: Authorize one-year contracts with four one-year renewal options to provide food and beverage concessions at Fair Park with Weiss Enterprises Concessions & Catering in the Automobile Building and Ed Campbell Company in the Food and Fiber Building and Band Shell - Estimated Annual Revenue: $22,973

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1650

Item 53: Authorize a thirty-six month contract with two twelve-month renewal options to Venture Parking to provide parking and traffic management services at Fair Park - Estimated Annual Revenue: $1,018,475

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1651

Item 54: Authorize a thirty-six month contract with two twelve-month renewal options to D & L Entertainment Services to provide crowd management services at Fair Park - Estimated Annual Revenue: $31,500

Councilmember Mayes moved to approve the item.

Motion seconded by Councilmember Lipscomb and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1652

Item 55: Authorize the sale by quitclaim deed of unimproved property, acquired by the taxing authorities from a Sheriff's Sale, located at 4727 Miron to Christopher J. Griffin and Christine Griffin, the only bidders - Revenue: $39,003

Councilmember Blumer moved to approve the item.

Motion seconded by Councilmember Mayes and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1653

Item 56: Authorize the approval of a service contract with the lowest responsible bidder of three, The PAZ Group, to manage the Downtown Oak Cliff Revitalization Program for a twelve (12) month term, in an amount not to exceed $65,575 - Financing: 1995-96 Community Development Grant Funds

Councilmember Salazar moved to approve the item.

Motion seconded by Councilmember Mallory Caraway.

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

| | | |
|---|---|---|
| Voting Yes: | [9] | Kirk, Wells, Salazar, Luna, Duncan, Mallory Caraway, Mayes, Lipscomb, McDaniel |
| Voting No: | [6] | Stimson, Hicks, Poss, Walne, Fielding, Blumer, |

Mayor Kirk declared the motion adopted.

Addendum addition 1: Authorize the restructuring of two bond underwriting syndicates and the designation of book running senior managers and senior managers for future negotiated bond underwritings as detailed on Attachment 1 - Financing: No additional cost consideration to the City

Mayor Pro Tem Wells moved to approve the resolution.
Motion seconded by Councilmember Luna.

Mayor Pro Tem Wells stated that, having put the item on the table for discussion, he would make a friendly amendment to his own motion to provide that within 120 days of the date "TEAM A," as detailed in Attachment 1 of the resolution, has executed a transaction for the city, the city council would select three additional firms to serve as co-managers of "TEAM B," so that the two teams would have the same number of co-managers.

Councilmember Luna, who seconded the original motion, accepted the amendment.

Councilmember Hicks moved to amend Mayor Pro Tem Wells' motion to provide that Merrill Lynch be replaced by Grigsby Brandford & Co., Inc. as book running senior and that Walton Johnson & Co. be designated co-senior for "TEAM B"

Motion seconded by Councilmember Lipscomb.

Councilmember Stimson asked Councilmember Hicks if he would accept a friendly amendment to his motion to provide that Rauscher Pierce Refsnes, Inc., be designated as co-senior for "TEAM B" instead of Walton Johnson & Co.

Councilmember Hicks stated that he would not accept the amendment as a part of his motion.

After discussion Mayor Kirk called the vote on Councilmember Hicks' amendment.

| | | |
|---|---|---|
| Voting Yes: | [13] | Kirk, Wells, Salazar, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Fielding, Blumer, McDaniel |
| Voting No: | [2] | Luna, Poss |

Mayor Kirk declared the amendment adopted.

Mayor Kirk then called the vote on Mayor Pro Tem Wells' original motion as amended.

| | | |
|---|---|---|
| Voting Yes: | [14] | Kirk, Wells, Salazar, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel |
| Voting No: | [1] | Luna |

Mayor Kirk declared the motion adopted.

Auditor

Addendum addition 2: * Authorize a twelve-month professional services contract with four one-year renewal options with the joint venture of independent accounting firms of Arthur Andersen LLP; MIR-Fox & Rodriquez, PC; and Owens and Thurman, PC for the audit of the City's financial operations and grant activities for the fiscal year ending September 30, 1996 - not to exceed $210,000 - Financing: Current Funds

Or, in the alternative

Addendum addition 3: * Authorize a twelve-month professional services contract with four one-year renewal options with the joint venture of independent accounting firms of Deloitte & Touche LLP; Marilou Martinez Stevens, CPA; and Calvin E. Person & Associates for the audit of the City's financial operations and grant activities for the fiscal year ending September 30, 1996 - not to exceed $179,000 - Financing: Current Funds

Mayor Pro Tem Wells moved to approve addendum addition 3 and award the contract to Deloitte & Touche LLP, Marilou Martinez Stevens, CPA, and Calvin E. Person & Associates.
Motion seconded by Councilmember Luna.

Councilmember Poss moved to substitute for Mayor Pro Tem Wells' motion a motion to approve addendum addition 2 and award the contract to Arthur Andersen LLP, MIR-Fox & Rodriquez, PC, and Owens and Thurman, PC.
Motion seconded by Councilmember Stimson.

After discussion, Mayor Kirk called the vote on Councilmember Poss' substitute motion to approve addendum addition 2 and award the contract to Arthur Andersen LLP, MIR-Fox & Rodriquez, PC, and Owens and Thurman, PC.

| | | |
|---|---|---|
| Voting Yes: | [9] | Kirk, Stimson, Duncan, Hicks, Mayes, Poss, Fielding, Blumer, McDaniel |
| Voting No: | [6] | Wells, Salazar, Luna, Mallory Caraway, Lipscomb, Walne |

Mayor Kirk declared the substitute motion adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1656

Addendum addition 4: Authorize a Grant Agreement with Dallas Youth Services Corps, Inc. (an on-the-job-training program for at risk youth ages 17-24 years) to perform fee-based public improvement and human services projects during the period May 9, 1996 through September 30, 1997 - Not to exceed $746,318 - Financing: Current Funds ($295,000), 1994-95 Community Development Grant Funds ($98,167), 1995-96 Community Development Grant Funds ($223,151), 1996-97 Community Development Grant Funds ($75,000), Water Utilities Current Funds ($55,000)

The following individuals addressed the city council regarding the Dallas Youth Services Corps, Inc.

-- Pat McNeal, 5440 N. Jim Miller Rd., representing Youth Services Corps.
-- Angela Burpo, 418 N. Merrill Rd., Duncanville

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Duncan and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1657

Addendum addition 5: Authorize the informal adoption of the Proposed Community Development Block Grant Reprogramming Budget in the amount of $10,970,000 and authorize a public hearing on June 5, 1996 in the City Council Chambers to receive citizen comments - Financing: This action has no cost consideration to the City

The following individual addressed the city council regarding the Proposed Community Development Block Grant Reprogramming Budget:

-- Joe Martin, 3105 Gladiolus Ln.

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Walne and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1658

Addendum addition 6: Authorize (i) a tangible personal property tax abatement agreement with Ramada Inn Dallas and its lessor John Hancock Mutual Life Insurance Company for abatement of taxes on the added value to the business personal property and (ii) a 100% development fee rebate not to exceed $4,000 for property located within an area of the City of Dallas designated Enterprise Zone One at 1011 South Akard Street - $4,000 - Financing: Public/Private Partnership Fund (Estimated revenue foregone for five year abatement is $40,387)

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1659

Addendum addition 7: Authorize a contract with the team headed by HNTB Architects, Engineers and Planners for consulting services to complete a feasibility assessment study for development of a cargo airport at the I-45 site not to exceed $440,000 - Financing: Aviation Capital Construction Fund

The city secretary announced that Councilmembers Mallory Caraway and Fielding had deferred consideration of addendum addition 7 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

May 8, 1996

96-1660

Addendum addition 8: Authorize a Moratorium beginning on the effective date of this resolution and ending on August 31, 1996, no application for the sub-division of a tract of land (whether platted or unplatted) into two or more lots may be accepted for property located in the Bluffview Neighborhood (Mayor Pro Tem Wells, Councilmembers Blumer, McDaniel, Fielding, Mayes, Lipscomb, Duncan, Salazar, Hicks, Luna, and Poss) via Mayor Kirk

The following individuals addressed the city council regarding the moratorium:

-- Nancy Kenty, 8723 Canyon Dr., representing Bluffview Association
-- Pat White, 4714 Wildwood Rd., representing Bluffview Association

Councilmember Blumer moved to approve the resolution.

Motion seconded by Councilmember Lipscomb and unanimously adopted. (Wells, Stimson, Fielding absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1661

Addendum addition 9: Authorize application for and acceptance of the COPS Anti-Gang Initiative grant from the U.S. Department of Justice, Office of Community Oriented Policing Services for the period May 13, 1996 through May 12, 1997 in the amount of $1,000,000, a local match in the amount of $199,893, and execution of the grant agreement - $1,199,893 - Financing: U.S. Department of Justice, Office of Community Oriented Policing Services Grant Funds ($1,000,000), Current Funds ($74,960), and FY 1996-97 Current Funds ($124,933)

Councilmember Lipscomb moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted. (Wells, Fielding absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1662

Addendum addition 10: Authorize modifications to a professional services contract with Miller, Canfield, Paddock and Stone, P.L.C. (Miller) for the purposes of providing legal counsel and filing appropriate responses before the Federal Communications Commission (FCC) related to TCI's filing of forms 1240 and 1205 in March 1996 seeking to increase basic service tier and equipment basket charges. Adding the new project to the Miller contract would increase authorization by $20,000, from $25,000 to $45,000 - Financing: Current funds, not to exceed $20,000

Councilmember Stimson moved to approve the item.

Motion seconded by Councilmember Luna and unanimously adopted. (Wells, Fielding absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1663

EXECUTIVE SESSION

Attorney Briefings (Sec. 551.071 T.O.M.A.)
- -- Downtown Sports Development Project - Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited
- -- Status of Dallas Stars Long Term Reunion Arena Lease Agreement
- -- Debra Walker, et al. v. HUD, et al.

Deliberation Regarding Real Property (Sec. 551.072 T.O.M.A.)
- -- Downtown Sports Development Project - Alternative Site Acquisition Negotiations, and Negotiations between the City and Dallas Basketball, Limited
- -- Status of Dallas Stars Long Term Reunion Arena Lease Agreement

Addendum addition: Executive Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)
- -- Addendum Item No. 8 - Bluffview Neighborhood Moratorium

The posted executive session was not held.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1664

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).*

# E X H I B I T  C

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1643 (EXCERPT)

Item 43: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec.551.074, T.O.M.A.)

96-1665 CPR DALLAS CITIZENS POLICE REVIEW BOARD

The city secretary distributed a report showing board and commission vacancies and nominations, updated through May 7, 1996.

Mayor Kirk recommended that the city council only consider appointing persons nominated to "individual-appointment" positions and to postpone other appointments. There being no objection to this procedure, Mayor Kirk asked the city secretary to review the board nominations report with the city council.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for some nominees. The city secretary stated that the report should now show that **Robert C. Hinton, Jr., nominated to an "individual-appointment" position on the Dallas Citizens Police Review Board**, and Lura E. Zipfel, nominated to an "individual-appointment" position on the Senior Affairs Commission, meet all qualifications for appointment to those boards.

. . .

Councilmember Luna moved to appoint to the boards and commissions of the city all of the individuals nominated to "individual-appointment" positions who meet all qualifications for appointment as determined by the city secretary and as reported to the city council for terms ending August 31, 1997 and to postpone consideration of individuals nominated to "full-council appointment" positions until a future meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1643 (EXCERPT)

Item 43: Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec.551.074, T.O.M.A.)

96-1666 SAC SENIOR AFFAIRS COMMISSION

The city secretary distributed a report showing board and commission vacancies and nominations, updated through May 7, 1996.

Mayor Kirk recommended that the city council only consider appointing persons nominated to "individual-appointment" positions and to postpone other appointments. There being no objection to this procedure, Mayor Kirk asked the city secretary to review the board nominations report with the city council.

The city secretary noted that since the report was prepared additional information had been received updating the background review status for some nominees. The city secretary stated that the report should now show that Robert C. Hinton, Jr., nominated to an "individual-appointment" position on the Dallas Citizens Police Review Board, and **Lura E. Zipfel, nominated to an "individual-appointment" position on the Senior Affairs Commission**, meet all qualifications for appointment to those boards.

. . .

Councilmember Luna moved to appoint to the boards and commissions of the city all of the individuals nominated to "individual-appointment" positions who meet all qualifications for appointment as determined by the city secretary and as reported to the city council for terms ending August 31, 1997 and to postpone consideration of individuals nominated to "full-council appointment" positions until a future meeting of the city council.

Motion seconded by Councilmember Stimson and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1623

Item 24: Approve the selection of McCall, Parkhurst & Horton, L.L.P. and Ronquillo & DeWolf, P.C. (Team A) and Vinson & Elkins, L.L.P. and Robinson West & Gooden, P.C. (Team B) to provide bond counsel and co-bond counsel services to the City and authorize the execution of professional services contracts with the law firm teams for a period of three years, with an option to renew for two additional years - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities current funds, contingent upon completion of sale, and fees for "additional services" to be paid from current funds in an amount not to exceed $50,000 per annum

Approved as part of the consent agenda.

**The resolution to support this agenda item had not been received in the city secretary's office as of:**
**May 10, 1996 (10:05am)**
**Resolution received: May 23, 1996 (9:34am)**

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

May 8, 1996

96-1654

Addendum addition 1: Authorize the restructuring of two bond underwriting syndicates and the designation of book running senior managers and senior managers for future negotiated bond underwritings as detailed on Attachment 1 - Financing: No additional cost consideration to the City

Mayor Pro Tem Wells moved to approve the resolution.
Motion seconded by Councilmember Luna.

Mayor Pro Tem Wells stated that, having put the item on the table for discussion, he would make a friendly amendment to his own motion to provide that within 120 days of the date "TEAM A," as detailed in Attachment 1 of the resolution, has executed a transaction for the city, the city council would select three additional firms to serve as co-managers of "TEAM B," so that the two teams would have the same number of co-managers.

Councilmember Luna, who seconded the original motion, accepted the amendment.

Councilmember Hicks moved to amend Mayor Pro Tem Wells' motion to provide that Merrill Lynch be replaced by Grigsby Brandford & Co., Inc. as book running senior and that Walton Johnson & Co. be designated co-senior for "TEAM B"

Motion seconded by Councilmember Lipscomb.

Councilmember Stimson asked Councilmember Hicks if he would accept a friendly amendment to his motion to provide that Rauscher Pierce Refsnes, Inc., be designated as co-senior for "TEAM B"
instead of Walton Johnson & Co.

Councilmember Hicks stated that he would not accept the amendment as a part of his motion.

After discussion Mayor Kirk called the vote on Councilmember Hicks' amendment.

| | | |
|---|---|---|
| Voting Yes: | [13] | Kirk, Wells, Salazar, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Walne, Fielding, Blumer, McDaniel |
| Voting No: | [2] | Luna, Poss |

Mayor Kirk declared the amendment adopted.

Mayor Kirk then called the vote on Mayor Pro Tem Wells' original motion as amended.

| | | |
|---|---|---|
| Voting Yes: | [14] | Kirk, Wells, Salazar, Stimson, Duncan, Hicks, Mallory Caraway, Mayes, Lipscomb, Poss, Walne, Fielding, Blumer, McDaniel |
| Voting No: | [1] | Luna |

Mayor Kirk declared the motion adopted.

**The resolution to support this agenda item included an attachment labeled "ATTACHMENT 1." The attachment was amended by the city council at the time the item was considered. The amended version of the attachment had not been received in the city secretary's office as of:**
**May 10, 1996 (9:44am)**
**Resolution and attachment received: May 16, 1996 (10:44am)**