

AGENDA
CITY COUNCIL MEETING
APRIL 09, 1997
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[97-1120]**

Agenda Item/Open Microphone Speakers **[97-1121]**

VOTING AGENDA

1. Approval of Minutes of March 26, 1997 **[APPROVED; 97-1122]**

CONSENT AGENDA **[97-1123]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with PSA Engineering, Inc. to update existing and prepare additional airfield electrical distribution design documents to accommodate additional electrical improvements made since 1991 at Dallas Love Field Airport - Not to exceed \$163,780 - Financing: Aviation Capital Construction Funds **[APPROVED; 97-1124]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for the construction of leisure trail, vehicular drop-off and replacement playground at Kidd Springs Park - American General Supplies, Inc., lowest responsible bidder of four - \$168,983 - Financing: 1995 Bond Funds (\$89,795) and 1995-96 Community Development Grant Funds (\$79,188) **[APPROVED; 97-1125]**
4. Authorize a contract for the construction of playground replacement and landscaping at Cochran Park - Henneberger Construction, Inc., lowest responsible bidder of six - \$97,129 - Financing: 1995-96 Community Development Grant Funds (\$68,775) and 1995 Bond Funds (\$28,354) **[APPROVED; 97-1126]**
5. Authorize a contract for the construction of Kittyhawk/Tamalpais drainage improvements - East Texas Construction Company, Inc., lowest responsible bidder of five - \$190,753 - Financing: 1995 Bond Funds **[APPROVED; 97-1127]**
6. Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on South Tyler Street from dead end south of Kiest Boulevard to Kiest Boulevard - Ed Bell Construction Co., lowest responsible bidder of eight - \$610,520 - Financing: 1985 Bond Funds (\$377,655), Water Utilities Capital Construction Funds (\$111,020), Water Utilities Bond Funds (\$121,845) **[APPROVED; 97-1128]**
7. Authorize a contract for fill removal at 13919 Hillcrest Road on White Rock Creek - Jeske Construction Company, lowest responsible bidder of seven - \$539,844 - Financing: 1985 Bond Funds **[APPROVED; 97-1129]**
8. Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Weisenberger Drive from Leath Street north to dead end - McMahon Contracting, Inc., lowest responsible bidder of thirteen - \$770,096 - Financing: 1995 Bond Funds (\$563,833), Water Utilities Capital Construction Funds (\$114,220), Water Utilities Bond Funds (\$92,043) **[APPROVED; 97-1130]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Change Orders and Contract Amendments

9. Authorize a decrease in the contract with Matrix Environmental Contractors L.C. for the Garland Road enhancements and the Crape Myrtle Allee at the Dallas Arboretum - (\$15,500), from \$581,682 to \$566,182 - Financing: 1985 Bond Funds
[APPROVED; 97-1131]
10. Authorize an increase in the contract with Tejas Construction for modifications for playground replacement at Everglade, Fretz and Stevens Parks and partial construction of a concrete trail at Tommie M. Allen Park - \$29,893, from \$198,500 to \$228,393 - Financing: 1985 Bond Funds (\$2,456), and 1995 Bond Funds (\$27,437)
[APPROVED; 97-1132]
11. Authorize an increase in the contract with Tejas Construction for modifications to the construction of playgrounds at Peary and Winnetka Parks and partial construction of a concrete trail at Tommie M. Allen Park - \$18,676, from \$74,745 to \$93,421 - Financing: 1985 Bond Funds (\$6,683), 1995 Bond Funds (\$7,443) and 1994-95 Community Development Grant Funds (\$4,550) **[APPROVED; 97-1133]**
12. Authorize an increase in the contract with Adams Nedderman, Inc. for miscellaneous modifications for construction of Larry Johnson Recreation Center - \$11,795, from \$1,339,300 to \$1,351,095 - Financing: Larry Johnson Recreation Center Fund
[APPROVED; 97-1134]
13. Authorize an increase in the contract with Randall & Blake, Inc. for the construction of a sanitary sewer, water, irrigation system and marble walkway for Women's Council Garden at the Dallas Arboretum and Botanical Gardens - \$37,292, from \$1,565,484 to \$1,602,776 - Financing: 1985 Bond Funds (\$15,500) and Dallas Arboretum and Botanical Society Fund (\$21,792) **[APPROVED; 97-1135]**
14. Authorize an increase in the contract with Precept Builders, Inc. to add acquisition and installation of 7 motion detector power assisted door openers and delete 6 hand operated power assisted door openers for the Convention Center - \$22,721, from \$487,321 to \$510,042 - Financing: Convention Center Expansion Funds **[APPROVED; 97-1136]**
15. Authorize an increase in the contract with Dal-Ec, Inc. for replacement of Uninterrupted Power Supply and Emergency Generator System Modifications at Dallas 9-1-1/City Hall Project - \$81,259, from \$2,170,000 to \$2,251,259 - Financing: Capital Construction Funds
[APPROVED; 97-1137]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous

16. Authorize calling of a benefit assessments hearing to be held on May 28, 1997 for alley paving, storm drainage and wastewater main improvements on Alley Group 1106 (list attached) - Financing: No cost consideration to the City **[APPROVED; 97-1138]**
17. Authorize calling of a benefit assessment hearing to be held on May 28, 1997 for alley paving, storm drainage, water and wastewater main improvements on Alley Group 1104 (list attached) - Financing: No cost consideration to the City **[APPROVED; 97-1139]**
18. Authorize calling of a benefit assessment hearing to be held on June 11, 1997 for street paving, storm drainage and water and wastewater main improvements on Morocco Avenue from Davis Street to Goodman Street - Financing: No cost consideration to the City **[APPROVED; 97-1140]**
19. Authorize calling of a benefit assessment hearing to be held on June 11, 1997 for street paving, storm drainage, water and wastewater main improvements on Street Group 421 (list attached) - Financing: No cost consideration to the City **[APPROVED; 97-1141]**

Bond Avenue from Jefferson Boulevard to Davis Street

20. * 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; 97-1142]**
21. * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City **[APPROVED; 97-1143]**

Ferguson Road from I.H. 30 to Highland Road

22. * Authorize sidewalk paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of improvements to be prepared as required by law **[APPROVED; 97-1144]**
23. * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City **[APPROVED; 97-1145]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

Kleberg Road from U.S. Highway 175 to Belt Line Road

24. * Authorize sidewalk paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of improvements to be prepared as required by law **[APPROVED; 97-1146]**
25. * Authorize calling of a benefit assessment hearing to be held on May 28, 1997 for sidewalk paving improvements - Financing: No cost consideration to the City **[APPROVED; 97-1147]**

Walnut Street from AT&SF Railroad to Plano Road

26. * Authorize sidewalk paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of improvements to be prepared as required by law **[APPROVED; 97-1148]**
27. * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City **[APPROVED; 97-1149]**

Wheatland Road from Mountain Creek Parkway to 490 feet west of County View Road Phase II

28. * Authorize street paving and storm drainage improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of the improvements to be prepared as required by law **[APPROVED; 97-1150]**
29. * Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City **[APPROVED; 97-1151]**

CONSENT AGENDA (Continued)

LAND ACQUISITION

30. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary from Ranger Land and Cattle Development Corporation, of approximately 8,643 square feet of land for a street easement, 464 square feet of land for a drainage easement and 13,816 square feet of land for a slope easement on Wagon Wheels Trail near Burnside Avenue for street and drainage improvements - \$800 - Financing: 1995 Bond Funds **[APPROVED; 97-1152]**
31. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Todd W. Cowle and Denise M. Cowle, of approximately 279 square feet of land for a drainage easement, and 2,958 square feet of land for a temporary working space easement, improved with a sandstone and wrought iron fence, stock pond and landscaping, located near the intersection of Preston Road and Aberdeen Avenue for the Aberdeen/Tulane Drainage Project - \$17,500 - Financing: 1985 Bond Funds **[APPROVED; 97-1153]**
32. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from W. Ray Wallace, of approximately 1.1 acres of land for a water easement parallel to Walnut Hill Lane near Goodnight Lane - \$27,600 - Financing: Water Utilities Capital Construction Funds **[APPROVED; 97-1154]**

LAND MISCELLANEOUS

33. Authorize a ten (10) year lease, with one five (5) year extension period, of approximately 8,363 square feet of terminal space with MultiRestaurants Management, Inc. (MMI) at Dallas Love Field - Revenue: \$47,670 in annual rental plus a one-time leasehold improvement of not less than \$100,000 **[APPROVED; 97-1155]**
34. An ordinance abandoning Union Alley to the Meadows Foundation, Incorporated, the abutting owner, containing approximately 6,769 square feet of land, located between Texas Street and Liberty Street, and authorizing the quitclaim - Revenue: \$43,152 plus the \$20 ordinance publication fee **[APPROVED; 97-1156; ORDINANCE 23071]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

35. An ordinance abandoning two wastewater easements to Albertson's , Inc., the abutting owner, containing approximately 3,251 square feet of land, located near the intersection of Lake June Road and North Masters Drive; authorizing the quitclaim and providing for the dedication of a new wastewater easement - Revenue: \$650 plus the \$20 ordinance publication fee **[APPROVED; 97-1157; ORDINANCE 23072]**
36. An ordinance granting a revocable license to Carleton In-Town Housing Partners, Ltd., for approximately 33,081 square feet of land, in order to construct, use, install and maintain a temporary drive and landscaping on Haskell Avenue right-of-way near its intersection with Lemmon Avenue - Revenue: \$350 annually plus the \$20 ordinance publication fee **[APPROVED; 97-1158; ORDINANCE 23073]**
37. An ordinance granting a private license to the Foley Family Trust for approximately 9,848 square feet of land, in order to use and maintain an existing parking area in Irving Boulevard right-of-way at its intersection with Top Line Drive - Revenue: \$4,018 annually plus the \$20 ordinance publication fee **[APPROVED; 97-1159; ORDINANCE 23074]**
38. Authorize the termination of Ordinance No. 18398, which granted a revocable license to Bert Teddlie Properties, Inc. for the use of two parking spaces on Turtle Creek Boulevard right-of-way, near its intersection with Market Center Boulevard, in order to facilitate the Turtle Creek Boulevard Street Improvement Project - Financing: No cost consideration to the City **[APPROVED; 97-1160]**
39. Authorize the Private Sale by quitclaim deed of three properties acquired by the taxing authorities from a Sheriff's Sale to Inncity Community Development Corporation - Revenue: \$9,985 (list attached) **[APPROVED; 97-1161]**
40. Authorize the Private Sale by quitclaim deed of three properties acquired by the taxing authorities from a Sheriff's Sale to SouthFair Community Development Corporation - Revenue: \$34,962 (list attached) **[APPROVED; 97-1162]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

41. Authorize a sixty (60) month maintenance agreement to provide 24 hour/7 days a week service on mainframe computer terminals and printers to be used City-wide, including control units and peripheral equipment - Data Applications Corporation, lowest responsible bidder of two - Not to exceed \$1,371,000, at fixed prices over a five year period, subject to the availability of funding - Financing: Current Funds **[APPROVED; 97-1163]**
42. Authorize the rejection of bid received for 24 month maintenance agreement for security cardkey system - Financing: No cost consideration to the City **[APPROVED; 97-1164]**
43. Authorize a twelve month price agreement for water bill envelopes with the lowest responsible bidder of twelve - Westvaco Envelope Division - Not to exceed \$66,720 - Financing: Water Utilities Current Funds **[APPROVED; 97-1165]**
44. Authorize a thirty-six month price agreement for the acquisition of microcomputer components, monitors and printers to be used within the Water Utilities Department - Part A (Internal Components) Monarch Systems, Inc., lowest responsible bidder of thirteen - Not to exceed \$381,957; Part B (Monitors) Mitsuba Texas, Inc., lowest responsible bidder of eleven - Not to exceed \$44,550; Part C (Printers) Business Enterprise Services, Inc., lowest responsible bidder of twelve - Not to exceed \$86,570 - Financing: Water Utilities Capital Construction Funds **[APPROVED; 97-1166]**
45. Authorize an increase in the Heavy Equipment Price Agreement with DARR Equipment Co. for the rental of articulated dump trucks used for sludge transport and disposal at the Southside Wastewater Treatment Plant - \$162,946 from \$1,993,441 to \$2,156,387 - Financing: Water Utilities Current Funds **[APPROVED; 97-1167]**

MISCELLANEOUS

46. Authorize payment of a judgement in a lawsuit styled Mitchell Enterprises, Inc. vs. City of Dallas, Cause No. 93-08217-D - Financing: Current Funds **[APPROVED; 97-1168]**
47. Authorize settlement of a lawsuit styled Sue Swigart v. City of Dallas, Cause No. 3:96-CV-1111-P - Financing: Current Funds **[APPROVED; 97-1169]**
48. Authorize settlement of a lawsuit styled Millicent Jacobs v. City of Dallas, Cause No. 95-13377-A - Financing: Current Funds **[APPROVED; 97-1170]**
49. Authorize settlement of a lawsuit styled Melvin Hightower v. City of Dallas, Cause No. 95-03168-E - Financing: Current Funds **[APPROVED; 97-1171]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

50. Authorize a public hearing to be held on Wednesday, May 14, 1997, to receive citizen comments in preparation of the FY 1997-98 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[APPROVED; 97-1172]**
51. Authorize a public hearing to be held on May 14, 1997, to receive citizen comments regarding the rate filing for the basic service tier, equipment and service rate for cable television services provided by TCI Cablevision of Dallas, Inc. - Financing: No cost consideration to the City **[APPROVED; 97-1173]**
52. Approve a resolution authorizing a major sports celebration in honor of the Dallas Stars on or following June 11, 1997, in accordance with Resolution 93-4570, "A Policy Statement for Major Sports Celebrations" - Financing: This action has no cost consideration to the City **[APPROVED; 97-1174]**
53. Authorize a public hearing to be held on May 14, 1997, and a resolution authorizing the City Manager to work with applicant in regard to an application to close Waterside Court at Highland Road under provisions of the City's Residential Street Closure Policy - Financing: No cost consideration to the City **[APPROVED; 97-1175]**
54. Authorize a personal service contract with Barbara T. McCall for the provision of federal legislative information and office expenses for use by the City of Dallas from May 1, 1997 through September 30, 1998 - Not to exceed \$130,000 - Financing: Current Funds **[APPROVED; 97-1176]**
55. Authorize a High Technology Procurement for a City-wide acquisition agreement for an Interactive Voice Response (IVR) System, and related services, including but not limited to installation, warranty, and training not to exceed \$180,000, and a seventy-two (72) month warranty and maintenance agreement, with the first year at no cost, and the remaining sixty (60) months at a cost not to exceed \$54,120, for a total not to exceed \$234,120. Plus, a sixty (60) month option, subject to funding, to acquire additional equipment, maintenance, and related services not to exceed \$800,000 - Periphonics Corporation - most advantageous proposer of five (5) - Not to exceed \$234,120 - Financing: Current Funds (\$54,120), 1992 Equipment Acquisition Contractual Obligation Funds (\$180,000) **[APPROVED; 97-1177]**
56. Authorize the first twelve month renewal option under the contract with Southwest General Services, Inc. dba S. W. General Services, Inc. for the billing and collection of emergency ambulance fees, and further authorize the City Manager to exercise the second twelve-month renewal option if it is determined to be advantageous to the City - Revenue: \$6,200,000 **[APPROVED AS AMENDED; 97-1178]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

57. Authorize an agreement with the Texas Department of Transportation (TxDOT) to provide reimbursement to the City of Dallas for the incremental cost incurred in the acquisition of alternative fueled vehicles in an amount not to exceed \$243,000 - Financing: Texas Department of Transportation Alternative Fuels Program Funds **[APPROVED; 97-1179]**
58. Authorize a Preservation Incentives Tax Abatement for 2030 Main Street (Western Union Building) owned by Good Signature Properties, Inc. - Financing: First year tax revenue at \$6,797 (Estimated revenue foregone for 10-year abatement \$67,978) **[APPROVED; 97-1180]**
59. Authorize acceptance of two \$5,000 grants from the Texas Historical Commission to total \$10,000 that will be matched with in-kind services by the City of Dallas, and authorize execution of the grant agreements for a survey of historic resources in and adjacent to the central business district - Financing: Texas Historical Commission Grant Funds **[APPROVED; 97-1181]**
60. An ordinance amending Chapter 16 of the Dallas City Code to provide sign, labeling and record keeping requirements for all sales of untreated wood shakes and wood shingles in the City - Financing: No cost consideration to the City **[APPROVED; 97-1182; ORDINANCE 23075]**
61. An ordinance authorizing an amendment to and the expansion of Planned Development District No. 343 to expand the Tract 2 area to include property presently zoned an R-7.5(A) Single Family District to be developed with single family residential uses at the northwest corner of White Rock Trail and Goforth Road [Z956-195/5127-NE(CR)] - Financing: No cost consideration to the City **[APPROVED AS AMENDED; 97-1183; ORDINANCE 23076]**
62. An ordinance authorizing an R-5(A) Single Family District on property presently zoned an MF-1(A) Multifamily District and a CR Community Retail District on the south side of Frankford Road, east of Kelly Boulevard [Z912-249/5183-N] - Financing: No cost consideration to the City **[APPROVED; 97-1184; ORDINANCE 23077]**
63. An ordinance amending Sections 28-44, 28-50, and 28-60 of Chapter 28 of the Dallas City Code to adjust or establish new speed limits on one street; establish or adjust limits on school zones on five streets; and adjust direction designation on one street (list attached) - Financing: No cost consideration to the City **[APPROVED; 97-1185; ORDINANCE 23078]**

MISCELLANEOUS HEARINGS

64. A public hearing to receive citizen comments on the proposed amendments to Chapters 14 and 41A of the Dallas City Code regarding sexually oriented businesses - Financing: No cost consideration to the City **[DELETED ON THE ADDENDUM; 97-1186]**

Dallas Teen Curfew Ordinance

65. * A public hearing to receive citizen comments on the renewal of the Dallas Teen Curfew Ordinance - Financing: No cost consideration to the City **[HEARING CLOSED; 97-1187]**
66. * An ordinance re-adopting, and continuing in effect the Dallas Teen Curfew Ordinance - Financing: No cost consideration to the City **[APPROVED; 97-1187; ORDINANCE 23079]**
67. A public hearing 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 37, consisting of approximately 9.3 acres located at 1535 W. Mockingbird Lane, City of Dallas, Texas, 75235, for the purpose of granting tax abatement on the new tangible personal property to Nextel of Texas and its lessor Oakbrook Plaza, Ltd. - Financing: No cost consideration to the City **[HEARING CLOSED; 97-1188]**
68. An ordinance designating property located at 1535 W. Mockingbird Lane, Dallas, Texas, 75235, consisting of approximately 9.3 acres, as City of Dallas Reinvestment Zone Number 37, for commercial-industrial tax abatement for the purpose of granting tangible personal property tax abatement to Nextel of Texas and its lessor Oakbrook Plaza, Ltd., establishing the boundaries thereof, and providing for an effective date - Financing: No cost consideration to the City **[APPROVED; 97-1189; ORDINANCE 23080]**
69. Authorize a tangible personal property tax abatement agreement with Nextel of Texas and its lessor Oakbrook Plaza, Ltd. for abatement of taxes on new tangible personal property to the site in relation to the development of a switching facility on property located within City of Dallas Reinvestment Zone Number 37, consisting of approximately 9.3 acres located at 1535 W. Mockingbird Lane, Dallas, Texas, 75235 - Revenue: First year tax revenue at \$67,010. 10 year tax revenue estimated at \$670,100 (Estimated revenue foregone for 10-year abatement \$670,100) **[APPROVED; 97-1190]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

70. A public hearing 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 38, consisting of approximately 8.85 acres located at the southwest corner of Dickson Drive and Stoneview Drive, City of Dallas, Texas, 75237, for the purpose of granting tax abatement on the added value to the real property to Medline Industries, Inc. - Financing: No cost consideration to the City
[HEARING CLOSED; 97-1191]
71. An ordinance designating property at the southwest corner of Dickson Drive and Stoneview Drive, Dallas, Texas, 75237, consisting of approximately 8.85 acres, as City of Dallas Reinvestment Zone Number 38, for commercial-industrial tax abatement for the purpose of granting real property tax abatement to Medline Industries, Inc., establishing the boundaries thereof, and providing for an effective date - Financing: No cost consideration to the City **[APPROVED; 97-1192; ORDINANCE 23081]**
72. Authorize a real personal property tax abatement agreement with Medline Industries, Inc. for abatement of taxes on the added value to the real property for the development of a warehousing and distribution facility on property located within City of Dallas Reinvestment Zone Number 38, consisting of approximately 8.85 acres located at the southwest corner of Dickson Drive and Stoneview Drive, Dallas, Texas, 75237 - Financing: No cost consideration to the City - Revenue: First year tax revenue estimated at \$2,680. Ten- year tax revenue estimated at \$26,804 (Estimated revenue foregone for 10-year abatement \$241,236) **[APPROVED AS CORRECTED ON THE ADDENDUM; 97-1193]**

ZONING CASES - CONSENT [97-1194]

73. Application for and an ordinance granting a Planned Development Subdistrict for certain GR General Retail Subdistrict and MF-3 Multiple Family Subdistrict Uses with retention of the Dry Overlay District on property presently zoned a GR General Retail Subdistrict and an MF-3-D Multiple Family-Dry Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Oak Lawn Avenue and Gillespie Avenue
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions
Z967-165/10241-C(CR) **[CPC RECOMMENDATION FOLLOWED; 97-1195; ORDINANCE 23082]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES - CONSENT (Continued)

74. Application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned an RR Regional Retail District on the south side of Wheatland Road, east of Hampton Road
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions
Z967-164/8938-SW(CR) **[CPC RECOMMENDATION REJECTED; APPLICATION DENIED WITHOUT PREJUDICE; 97-1196]**
75. Application for and an ordinance granting the removal of the Dry Overlay District on property presently zoned a CR-D Community Retail-Dry District and as Planned Development District No. 462-Dry, the Henderson Avenue Special Purpose District, at the southeast corner of Henderson Avenue and Willis Avenue, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z967-161/10167-C(DW) **[APPROVED AS AMENDED; 97-1197; ORDINANCE 23083]**
76. Application for and an ordinance granting a Planned Development District for a Private School (Fairhill School) on property presently zoned an R-16(A) Single Family District and an NO(A) Neighborhood Office District on the east side of Preston Road, southeast of the St. Louis and Southwestern Railroad
Recommendation of Staff: Approval, subject to development/landscape plan and conditions
Recommendation of CPC: Pending April 3, 1997 hearing
Z967-151/10231-NC(RB) **[DELETED ON THE ADDENDUM; 97-1198]**

ZONING CASES - INDIVIDUAL

77. Application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property presently zoned a CR-D Community Retail-Dry District located north of Bruton Road and west of Prairie Creek Road
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions
Z967-172/10240-SE(CR) **[CPC RECOMMENDATION FOLLOWED; 97-1199; ORDINANCE 23084]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES - INDIVIDUAL (Continued)

78. Application for and an ordinance granting a Planned Development District for Parking on property presently zoned an R-1ac(A) Single Family District at the northeast corner of Northwest Highway and Douglas Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z967-170/9858-NC(KC) **[APPROVED AS AMENDED; 97-1200; ORDINANCE 23085]**
79. Application for an RR Regional Retail District with the retention of the Dry Overlay District on property presently zoned a CR-D Community Retail - Dry District at the southwest corner of West Davis Street and Bond Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Denial without prejudice
Z967-163/10238-SW(DW) **[CPC RECOMMENDATION REJECTED; APPLICATION APPROVED AS AMENDED; 97-1201]**

ZONING CASE UNDER ADVISEMENT - INDIVIDUAL

80. Application for and an ordinance granting an amendment to the site plan and conditions for Planned Development District No. 168 for Medical and Office Uses to permit the additional uses of a convalescent and nursing home, hospice care and related institutions, and further to convert the existing Planned Development District from Chapter 51 to Chapter 51A in the Dallas Development Code on property on the northwest side of Ross Avenue between Bennett Avenue and Garrett Avenue
Recommendation of Staff and CPC: Approval
Z967-156/380-C(RB) **[CONTINUED UNTIL 05/14/97; HEARING OPEN; 97-1202]**
Note: The above application was considered by the City Council on March 12, 1997 and was taken under advisement until April 9, 1997 with the public hearing open

BENEFIT ASSESSMENT HEARINGS

Crawford Street from Neely Street to Canty Street

81. * Benefit assessment hearing for street paving improvements for the above listed street **[HEARING CLOSED; 97-1203]**
82. * Ordinance levying benefit assessments for street paving improvements for the above listed street - Financing: No cost consideration to the City **[APPROVED; 97-1203; ORDINANCE 23086]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

BENEFIT ASSESSMENT HEARINGS (Continued)

N. Jester Avenue from Davis Street to Overcrest Street

83. * Benefit assessment hearing for street paving, water and wastewater main improvements for the street listed above **[HEARING CLOSED; 97-1204]**
84. * Ordinance levying benefit assessments for street paving, water and wastewater main improvements for the street listed above - Financing: No cost consideration to the City **[APPROVED; 97-1204; ORDINANCE 23087]**

Ranchero Lane from O'Guinn Branch to Whispering Oaks Drive

85. * Benefit assessment hearing for construction of 870 feet of wastewater main for the street listed above **[HEARING CLOSED; 97-1205]**
86. * Ordinance levying benefit assessments for construction of 870 feet of wastewater main for the street listed above **[APPROVED; 97-1205; ORDINANCE 23088]**
87. * Authorize a contract for the construction of a wastewater main in the street listed above - John Burns Construction Company of Texas, Inc., lowest responsible bidder of seven - \$118,517- Financing: Water Utilities Capital Construction Funds **[APPROVED; 97-1205]**

Alley Group 1107 (list attached)

88. * Benefit assessment hearing for alley paving, storm drainage, water and wastewater main improvements for the alleys on the attached list **[HEARING CLOSED; 97-1206]**
89. * Ordinance levying benefit assessments for alley paving, storm drainage, water and wastewater main improvements for the alleys on the attached list - Financing: No cost consideration to the City **[APPROVED; 97-1206; ORDINANCE 23089]**

Note: This above item was considered by the City Council on March 26, 1997 and was taken under advisement until April 9, 1997 with the public hearing open

ITEMS FOR INDIVIDUAL CONSIDERATION

90. Consideration of appointments to boards and commissions (Executive Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) **[APPROVED APPOINTMENTS TO BOARDS; 97-1207]**
91. Authorize approval of the bi-weekly tax action **[APPROVED; 97-1208]**
92. An ordinance amending Chapter 8 of the Dallas City Code to provide for the number of members that constitute a quorum of a city board or commission (Municipal and Minority Affairs Committee) **[REFERRED TO MUNICIPAL AND MINORITY AFFAIRS COMMITTEE; 97-1209]**
93. An ordinance amending Chapter 13 of the Dallas City Code to provide a waiver of interview requirements for a former or current full time judge who is applying for the office of an associate judge (Municipal and Minority Affairs Committee) **[REFERRED TO MUNICIPAL AND MINORITY AFFAIRS COMMITTEE; 97-1210]**
94. Authorize acceptance of a grant in the amount of \$106,834 from the Texas Natural Resource Conservation Commission for Combating Illegal Dumping, and execution of the grant agreement - Financing: Texas Natural Resource Conservation Commission Grant Funds **[APPROVED; 97-1211]**
95. Authorize a six month extension from April 6, 1997 to October 5, 1997 and an increase in funding by \$660,000, from \$2,938,000 to \$3,598,000 to a multiple award price agreement for grounds maintenance with the lowest responsible bidders of eight - CAPO, Inc. and Forest Hills Lawn Service - Not to exceed \$660,000 - Financing: Current Funds **[APPROVED; 97-1212]**
96. Resolution directing the City Secretary to publish notice of the City's intention to issue \$54,000,000 Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 1997, including \$12,000,000 for commercial paper retirement and \$42,000,000 for water and wastewater system improvement projects, and authorizing preparation of plans for this issue **[APPROVED; 97-1213]**
97. Authorize the City Manager to negotiate a contract with the City of Irving for utilization of their Lake Chapman water - Financing: No cost consideration to the City **[APPROVED; 97-1214]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

98. Authorize the rejection of four bids received for a thirty-six month price agreement for citywide security guard services - Financing: No cost consideration to the City
[APPROVED; 97-1215]
99. Authorize the approval of the proposed Public Art Plan as approved by both the Cultural Affairs Commission and the Council Arts, Education and Libraries Committee, and as directed by the Public Art Ordinance (Dallas City Code, Chapter 2, Article X) - Financing: This action has no cost consideration to the City **[APPROVED; 97-1216]**

Executive Session **[NO EXECUTIVE SESSION HELD; 97-1234]**

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 and/or Dallas Stars, L.P.
- Status of Dallas Stars and Dallas Mavericks Long Term Reunion
Arena Lease Agreements
- Debra Walker, et al v. HUD, et al.

Deliberations 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 and/or Dallas Stars, L.P.

ADDENDUM

ADDITIONS:ITEMS FOR INDIVIDUAL CONSIDERATION

- + 1. Authorize settlement of a lawsuit styled, Gweneria Latimer, as Administrator of the Estate of Vickie Latimer as Next Friend of Shamaria Latimer and Brandon Latimer, Minor Children v. City of Dallas, and Rita Richards, Nevora V. Echols, H.K. Giddings, Deatria J. Freoney and Dwayne Giddings v. City of Dallas consolidated into one action, Cause No. 95-02775-A - Financing: Current Funds **[APPROVED; 97-1217]**
- + 2. Authorize a professional services contract with Vidaud & Associates, Inc. for survey, design and construction administration services for the Americans With Disabilities Act (ADA) Implementation Program for City public buildings (list attached) - \$116,867 - Financing: 1985 Bond Funds **[APPROVED; 97-1218]**
- + 3. Authorize a five-year contract with All American Football League, Inc. to play all home games at the Cotton Bowl Stadium in Fair Park beginning March 1, 1998 through September 30, 2002 with one five-year renewal option - Estimated Annual Revenue: \$106,467 **[APPROVED; 97-1219]**
- + 4. Authorize a contract for the construction of erosion control improvements for Woody Branch, Phase IV-A, located at 2229, 2233, 2243, 2303, 2311 Elder Oaks Lane; 6828, 6834, 6840 Talbot Parkway; and 6780, 6808, 6816 Talbot Parkway - Larry H. Jackson Construction, Inc., lowest responsible bidder of four - \$389,389 - Financing: 1995 Bond Funds **[APPROVED; 97-1220]**
- + 5. Authorize a contract for floor renovation in the Kalita Humphreys Theater of the Dallas Theater Center, located at 3636 Turtle Creek Boulevard - Coastal Construction Company, lowest responsible bidder of two - \$84,697 - Financing: Capital Construction Funds (\$9,724), 1995 Bond Funds (\$74,973) **[APPROVED; 97-1221]**
- + 6. Authorize an increase to the license agreement with Dallas Computer Services, Inc. (DCS) for on-line computer access to database information provided by the Texas Department of Public Safety Drivers License in connection with the recovery of property taxes owed to the City of Dallas - \$55,000, from \$73,500 to \$128,500 - Financing: Current Funds **[APPROVED; 97-1222]**

ADDENDUM

ADDITIONS: (Continued)ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

- + 7. An ordinance abandoning a portion of the Wichita Street Extension right-of-way to Broomfield, J.V., the abutting owner, containing approximately 30,081 square feet of land, located near the intersection of Broom and Laws Streets, and authorizing the quitclaim - Revenue: \$268,473 plus the \$20 ordinance publication fee **[APPROVED; 97-1223; ORDINANCE 23090]**
- + 8. An ordinance abandoning a portion of Carter Street right-of-way to Leis 'Ohana Hui Family Partnership, Ltd., the abutting owner, containing approximately 11,892 square feet of land, located near its intersection with Broom Street, and authorizing the quitclaim - Revenue: \$106,136 plus the \$20 ordinance publication fee **[APPROVED; 97-1224; ORDINANCE 23091]**
- + 9. An ordinance approving the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) - Financing: No cost consideration to the City **[APPROVED; 97-1225; ORDINANCE 23092]**
- + 10. An ordinance amending previously passed ordinances ordering the May 3, 1997 general election, charter amendment election, and Employees' Retirement Fund election in order to change some election-day and early voting locations and add an early voting location - Financing: This action has no cost consideration **[APPROVED; 97-1226; ORDINANCE 23093]**
- + 11. An ordinance amending the Dallas Development Code Section 51A-7.702 allowing relocation of a nonconforming sign under certain conditions for the construction of a rail transit line and other facilities necessary to its operation - Financing: No cost consideration to the City **[APPROVED; 97-1227; ORDINANCE 23094]**
- + 12. An ordinance amending Chapter 7 of the Dallas City Code to create an offense for an owner, harbinger, or other person having care, custody, or control of a dog or cat to allow the dog or cat to defecate on public property or on certain private property within the city, within certain defenses - (Councilmembers McDaniel, Duncan, Blumer, Mallory Caraway, Salazar via Mayor Kirk) **[DID NOT PASS; 97-1228]**

ADDENDUM

ADDITIONS: (Continued)ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

- + 13. Authorize a (i) public hearing to be held on May 14, 1997, to receive citizen comments on the creation of a Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for a section of the Prestonwood Area to be called the Prestonwood Public Improvement District ("District") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, (ii) an ordinance creating the Prestonwood Public Improvement District on May 14, 1997 - Financing: No cost consideration to the City **[APPROVED; 97-1229]**
- + 14. AMENDMENT TO FLOODPLAIN MANAGEMENT PLAN: Amend the White Rock Creek and Tributaries Flood Plain Management Study performed by Halff Associates, Inc. to include an additional tract of land to the approved flood plain encroachment list. The tract to be included is 14.7 acres and is in the 100-year flood plain of White Rock Creek. The property is zoned Residential 1-acre (R-1ac(A)) and is located south of Keller Springs Road just west of Keller Springs Park - Financing: This action has no cost consideration **[APPROVED; 97-1230]**
- + 15. FLOODPLAIN APPLICATION: Application for a fill permit and removal of the flood plain (FP) prefix from 0.64 acres of land currently in the 100-year flood plain of White Rock Creek. The property is zoned Residential 1-acre (R-1ac(A)) and is located in City Block 8215, south of Keller Springs Road, just west of Keller Springs Park. Fill Permit 96-07 - Financing: This action has no cost consideration **[APPROVED; 97-1231]**
- + 16. Authorize the City Manager to execute a temporary easement agreement with The Stephens Group, L.P., landowner of the area known as the Gravel Pit site in South Dallas County, for discharge of the dredged material from White Rock Lake to their property - \$2,388,078 - Financing: 1995 Bond Funds **[APPROVED; 97-1232]**
- + 17. A resolution urging the City Council elected in May, 1997 to create a charter review committee/task force and recommending the composition and duties of such a committee/task force (Mayor Kirk, Mayor Pro Tem Wells, and Councilmembers Hicks, Poss, Walne, Luna, Stimson, and McDaniel) **[APPROVED AS AMENDED; 97-1233]**

ADDENDUM

CORRECTION:

- ++ 72. Authorize a real ~~personal~~ property tax abatement agreement with Medline Industries, Inc. for abatement of taxes on the added value to the real property for the development of a warehousing and distribution facility on property located within City of Dallas Reinvestment Zone Number 38, consisting of approximately 8.85 acres located at the southwest corner of Dickson Drive and Stoneview Drive, Dallas, Texas, 75237 - Financing: No cost consideration to the City - Revenue: First year tax revenue estimated at \$2,680. Ten- year tax revenue estimated at \$26,804 (Estimated revenue foregone for 10-year abatement \$241,236) **[97-1193]**

DELETIONS:

- ++ 64. A public hearing to receive citizen comments on the proposed amendments to Chapters 14 and 41A of the Dallas City Code regarding sexually oriented businesses - Financing: No cost consideration to the City **[97-1186]**
- ++ 76. Application for and an ordinance granting a Planned Development District for a Private School (Fairhill School) on property presently zoned an R-16(A) Single Family District and an NO(A) Neighborhood Office District on the east side of Preston Road, southeast of the St. Louis and Southwestern Railroad
Recommendation of Staff: Approval, subject to development/landscape plan and conditions
Recommendation of CPC: Pending April 3, 1997 hearing
Z967-151/10231-NC(RB) **[97-1198]**