

AGENDA
CITY COUNCIL MEETING
MAY 27, 1998
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[98-1550]**

Agenda Item/Open Microphone Speakers **[98-1551]**

VOTING AGENDA

1. Approval of Minutes of the May 13, 1998 City Council Meeting **[APPROVED AS CORRECTED; 98-1552]**

CONSENT AGENDA [98-1553]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Freese and Nichols, Inc. for the design of street paving, storm drainage, water and wastewater main improvements on Hudspeth Avenue from Lancaster Avenue to Garza Avenue - \$88,719 - Financing: Section 108 Notes (\$74,500), Water Utilities Bond Funds (\$14,219) **[APPROVED; 98-1554]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for the construction of erosion control improvements along McKamy Branch (list attached) - Craig Olden, Inc., lowest responsible bidder of two - \$138,782 - Financing: 1995 Bond Funds **[APPROVED; 98-1555]**
4. Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on 56th Street from Lancaster Road to 2869 56th Street - BCI Utility Construction, Inc., lowest responsible bidder of four - \$2,281,255 - Financing: 1995 Bond Funds (\$1,652,385), Water Utilities Capital Improvement Funds (\$601,425), Water Utilities Capital Construction Funds (\$27,445) **[APPROVED; 98-1556]**
5. Authorize a contract for the construction of street paving, storm drainage and water main improvements on Market Center Boulevard from Stemmons Freeway to Harry Hines Boulevard - Gibson & Associates, Inc., lowest responsible bidder of three - \$859,314 - Financing: 1995 Bond Funds (\$787,535), Water Utilities Capital Improvement Funds (\$64,712), Water Utilities Capital Construction Funds (\$7,067) **[APPROVED; 98-1557]**
6. Authorize a contract for the replacement of water and wastewater mains and the rehabilitation of wastewater mains in an area bounded by Walnut Hill Lane, Kingsley Road, Buckner Boulevard, S.H. 352, Grand Avenue, I.H. 45, I.H. 30 and I.H. 35 - Atkins Bros. Equipment Company, Inc., lowest responsible bidder of six - \$2,086,269 - Financing: Water Utilities Capital Improvement Funds **[APPROVED; 98-1558]**
7. Authorize a contract for the replacement of water and wastewater mains and rehabilitation of wastewater mains in an area bounded by Northwest Highway, Buckner Boulevard, I.H. 20, F.M. 1382, I.H. 30, and Walton Walker Boulevard - Atkins Bros. Equipment Company, Inc., lowest responsible bidder of four - \$2,694,157 - Financing: Water Utilities Capital Improvement Funds **[APPROVED; 98-1559]**

Contract Amendments

8. Authorize Supplemental Agreement No. 2 to the contract with Good Fulton & Farrell Architects to provide lighting design for the Food and Fiber Building Renovation, Phase II at Fair Park - \$14,970, from \$258,500 to \$273,470 - Financing: Texas Department of Agriculture Grant Funds **[APPROVED; 98-1560]**
9. Authorize Supplemental Agreement No. 3 to the contract with Oglesby-Greene, Inc. for additional construction administration services for the Dallas Museum of Art Barrel Vault Roof Repair project - \$10,725, from \$48,788 to \$59,513 - Financing: Capital Construction Funds **[APPROVED; 98-1561]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous

- 10. Authorize an Interlocal Agreement with the Town of Addison for traffic signal improvements to the intersection on Arapaho Road at Dallas Parkway - \$24,286 - Financing: 1985 Bond Funds (to be reimbursed by the Town of Addison) **[APPROVED; 98-1562]**

LAND ACQUISITION

- 11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jessie M. Compton, of approximately 11,400 square feet of land improved with a tenant-occupied single family residence, located at 1230 Carbona Drive for the replacement of Fire Station No. 34 - \$25,100 and eligible relocation benefits, not to exceed \$5,250 for tenant-occupied property, plus moving expenses - Financing: 1985 Bond Funds **[APPROVED; 98-1563]**
- 12. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Marvin O. Hooten and Mickie Rita Hooten, of approximately 37,553 square feet of land improved with a used car lot, located at 7604-7612 Lake June Road for the replacement of Fire Station No. 34 - \$136,000 - Financing: 1985 Bond Funds **[APPROVED; 98-1564]**
- 13. Authorize deposit of a Special Commissioners' Award for approximately 15,331 square feet of land improved with 4 residential structures, from Harold Topletz, et al, for the Hispanic Community/Cultural Center at Good-Latimer Expressway and Live Oak Street - \$395,000 - Financing: 1995 Bond Funds **[APPROVED AS AN INDIVIDUAL ITEM; 98-1565]**

LAND MISCELLANEOUS

- 14. Authorize the private sale by quitclaim deed of 2 properties acquired by the taxing authorities from a Sheriff's Sale to Dallas Area Habitat for Humanity (list attached) - Revenue: \$7,560 **[APPROVED; 98-1566]**
- 15. Authorize the quitclaim of 42 properties acquired by the taxing authorities from a Sheriff's Sale, to the highest bidders (list attached) - Revenue: \$329,423 **[APPROVED; 98-1567]**
- 16. Authorize the conveyance of an easement and right-of-way for permanent erosion control structures to the Trinity River Authority of Texas, containing approximately 2,200 square feet of land and a temporary construction easement, containing approximately 1,730 square feet of land along the Elm Fork, north of Belt Line Road - Revenue: \$204 **[APPROVED; 98-1568]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

17. An ordinance granting a private license to Seven Seventeen HB Dallas Corporation, for the use of approximately 1,107 square feet of air space over Olive Street near its intersection with Live Oak Street, to construct and maintain a granite entrance canopy - Revenue: \$3,647 annually plus the \$20 ordinance publication fee **[APPROVED; 98-1569; ORDINANCE NO. 23518]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

18. Authorize a thirty-six month price agreement for automotive filters with the lowest responsible bidder of nine - Robertson Fleet Service, Inc. - Not to exceed \$399,221 - Financing: Current Funds (\$396,662), Aviation Current Funds (\$2,559) **[APPROVED; 98-1570]**
19. Authorize the purchase of a command and communications vehicle for the Police Department with the lowest responsible bidder of two - Lynch Display Vans, Inc. - Not to exceed \$370,452 - Financing: 1996-97 Local Law Enforcement Block Grant Funds **[APPROVED; 98-1571]**
20. Authorize a thirty-six month price agreement for janitorial services at City Hall, Northeast and Northwest District field buildings with the lowest responsible bidder of six - AM-KO Building Maintenance Co., Inc. - Not to exceed \$2,607,685 - Financing: Current Funds **[APPROVED; 98-1572]**
21. Authorize a twenty-four month price agreement for liquid oxygen to be used to treat drinking water with the lowest responsible bidder of four - BOC Gases - Not to exceed \$99,705 - Financing: Water Utilities Current Funds **[APPROVED; 98-1573]**
22. Authorize a twelve-month multiple award price agreement for minor home repairs, with one twelve (12) month renewal option at the same price, with the lowest responsible bidders of twelve - J.E.M. IV Carpentry, Floyd Billings Construction Company, E&M Remodeling, Dubros Construction, French Brothers Construction Company, Cleta Bryant Construction Company, L.B.J. Carpentry Inc., McBride Construction Company, Metroplex Realty Development Inc., Progressive Construction Group, Berry and Turner Construction - Not to exceed \$2,355,184 - Financing: Section 108 Notes (\$1,254,282); 1997-98 Community Development Grant Funds (\$1,021,020); 1993-94 Community Development Grant Funds (\$8,602); 1994-95 Community Development Grant Funds (\$35,000); 1995-96 Community Development Grant Funds (\$30,000); UDAG Grant Funds (\$6,280) **[APPROVED; 98-1574]**

CONSENT AGENDA (Continued)

MISCELLANEOUS

23. Authorize settlement of a lawsuit, styled James Dowell v. Steven Jackson and City of Dallas, Cause No. CC-97-04714-B - Financing: Current Funds **[APPROVED; 98-1575]**
24. Authorize settlement of a lawsuit, styled Alejandro Arroyo v. City of Dallas and Deborah Butler, Cause No. CC-97-00482-B - Financing: Current Funds **[APPROVED; 98-1576]**
25. Authorize payment of a judgment in a lawsuit, styled Robin Layne Hunter v. City of Dallas and Jeff Daniels Wallis, Cause No. 97-08789-J - Financing: Current Funds **[APPROVED; 98-1577]**
26. A resolution authorizing the City Manager to enter into a Loan Guarantee Agreement with the Texas Department of Transportation relating to funds loaned to Amtrak - Financing: No cost consideration to the City **[APPROVED; 98-1578]**
27. An ordinance amending Chapter 1 of the Dallas City Code to establish the frequency with which the official city newspaper must be selected - Financing: No cost consideration to the City **[APPROVED; 98-1579; ORDINANCE NO. 23519]**
28. Authorize renewal of City of Dallas' membership in the North Central Texas Regional Certification Agency for the period of January 1, 1998 through December 31, 1998 - \$28,600 - Financing: Current Funds **[APPROVED; 98-1580]**
29. An ordinance establishing maximum rates to be charged by TCI Cablevision of Dallas, Inc. for basic service tier and installation and equipment charges - Financing: No cost consideration to the City **[APPROVED; 98-1581; ORDINANCE NO. 23520]**
30. An ordinance establishing Tax Increment Financing Reinvestment Zone Number Six, City of Dallas, Texas, to be known as the **Farmers Market TIF District**, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code, Chapter 311) - Financing: No cost consideration to the City **[APPROVED; 98-1582; ORDINANCE NO. 23521]**
31. Authorize (1) a real property tax abatement agreement with the Innerscity Community Development Corporation (ICDC) for a ten-year abatement of taxes on 90% of the added value to the real property for the development of a retail and commercial strip complex; and (2) a 100% development fee rebate to (ICDC) in an amount not to exceed \$28,000 for the development on property **located at 4900 Spring Avenue, in the Frazier Courts Target Neighborhood, Dallas, Texas 75210** within an Enterprise Community - Revenue: First year tax revenue estimated at \$977. Ten-year tax revenue estimated at \$9,774. (Estimated foregone for ten-year abatement \$87,970) - Financing: Walker Consent Decree Funds **[APPROVED; 98-1583]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

32. Authorize Contract Renewal No. 1 to the contract with Nexus Recovery Center, Inc. to provide substance abuse treatment in a residential setting for adult women for the period June 1, 1998 through May 31, 1999 - \$50,370 - Financing: Current Funds **[APPROVED; 98-1584]**
33. Authorize Contract Renewal No. 1 to the contract with Turtle Creek Manor, Inc. to provide substance abuse treatment in a residential setting for adults for the period July 1, 1998 through June 30, 1999 - \$91,250 - Financing: Current Funds **[APPROVED; 98-1585]**
34. Authorize a public hearing to be held on June 10, 1998, to receive citizen comments and authorize Council action on June 10, 1998, on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law - Financing: No cost consideration to the City **[APPROVED AS AN INDIVIDUAL ITEM; 98-1586]**
35. Approval of the Brownfields Cleanup Revolving Loan Fund Program (BCRLF) including the underwriting guidelines for loans to be made for the redevelopment of underutilized or abandoned sites; and authorization for the City Manager (1) to accept a grant and enter into an assistance agreement with the U.S. Environmental Protection Agency (EPA) for the use of a cooperative agreement award in the amount of \$350,000 for a three-year period for the establishment of the BCRLF Program; (2) to implement the BCRLF Program work plan to be administered by the Economic Development Department; (3) to establish appropriations in an amount not to exceed \$350,000 for the U.S. EPA award; (4) to execute loan documents for these funds for the redevelopment of underutilized or abandoned sites in accordance with the approved BCRLF Program; (5) to disburse funds by the City Controller in accordance with the approved BCRLF underwriting guidelines; (6) to execute a Request for Proposal, to select a private for profit or non-profit entity to provide loan administration, other financial services for the BCRLF Program - \$700,000 - Financing: U.S. Environmental Protection Agency Funds (\$350,000) and Public/Private Partnership Fund (\$350,000) **[APPROVED; 98-1587]**
36. Authorize an agreement to extend the contract between Texas Utilities Electric Company and the City of Dallas for the purchase of raw water from the Elm Fork of the Trinity River for use at North Lake Steam Electric Station - Revenue: \$100,520 in 1997-98, \$301,563 annually thereafter **[APPROVED; 98-1588]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

37. Authorize amendments to the Minor Home Repair Program and the Home Improvement Loan Program statements to allow repairs to 283 of 635 homes designated by HUD which received Upfront Cost Assistance Program assistance between October 1, 1993 through December 31, 1995 where the home does not meet Housing Quality Standards and Minimum Housing Codes - Financing: No cost consideration to the City **[DEFERRED UNTIL 06/10/98; 98-1589]**

PUBLIC HEARINGS AND RELATED ACTIONSZONING CASES - CONSENT [98-1590]

38. A City Plan Commission authorized hearing to consider the granting of a Planned Development District for a Transit Passenger Station or Transfer Center (DART) on property presently zoned a CR Community Retail District and an R-10(A) Single Family District on the south side of Forest Lane, west of the former H.&T.C. Railroad Right-of-Way, and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions
Z978-173/10529-NE(KC) **[CONTINUED UNTIL 06/10/98 WITH HEARING OPEN; 98-1591]**
39. Application for and an ordinance granting an amendment to the Phase II portion of Planned Development Subdistrict No. 20-Dry for Multiple Family Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, to allow single family uses along with the existing multiple family uses at the north corner of Gillespie Avenue and Welborn Street
Recommendation of Staff and CPC: Approval, subject to the revised development plan and conditions
Z978-192/10241-C(KC) **[CPC RECOMMENDATION FOLLOWED; 98-1592; ORDINANCE NO. 23522]**
40. Application for and an ordinance granting an amendment to Planned Development District No. 476 for a Public School (Vickery Meadows Elementary) and MF-2(A) Multifamily District Uses at the northwest and southeast corners of Ridgecrest Road and Eastridge Drive to amend the traffic improvements section to allow a reduction in the amount of required pavement and sidewalks which must be in place prior to opening the school
Recommendation of Staff and CPC: Approval, subject to the revised development plan and conditions
Z978-193/10311-NE(KC) **[APPROVED AS AMENDED; 98-1593; ORDINANCE NO. 23523]**

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

41. Consideration of a City Plan Commission authorized hearing to determine the proper zoning on property presently zoned as Planned Development District No. 101 for I-1 Industrial District Uses on the north side of Camp Wisdom Road between FM 1382 and Mountain Creek Parkway, and an ordinance implementing the City Plan Commission's recommendation
Recommendation of Staff: Approval of a change of zoning to an R-7.5(A) Single Family District
Recommendation of CPC: Retention of the existing Planned Development District with the deletion of the swine yard use
Z967-318/4297-SW(KC) **[CONTINUED UNTIL 06/10/98 WITH HEARING OPEN; 98-1594]**
42. Application for a Planned Development District for R-7.5(A) Single Family District Uses, Animal Production, Commercial Stable, Nursery, Garden Shop or Plant Sales, and Outside Storage with visual screening on property presently zoned an R-7.5(A) Single Family District on the north side of Wheatland Road, east of South R.L. Thornton Freeway (IH-35), and an ordinance implementing the City Plan Commission's recommendation
Recommendation of Staff: Denial without prejudice
Recommendation of CPC: Approval with the deletion of the animal production and commercial stable uses, subject to a development/landscape plan and conditions
Z967-329/10408-SW(RB) **[CONTINUED 06/10/98 WITH HEARING OPEN; 98-1595]**
43. Application for and an ordinance granting a CS Commercial Service District on property presently zoned an R-7.5(A) Single Family District at the northeast corner of Walton Walker Boulevard and Davis Street, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z978-162/10513-SW(RB) **[CPC RECOMMENDATION FOLLOWED; 98-1596; ORDINANCE NO. 23524]**
44. Application for a Specific Use Permit for Multifamily Uses on property presently zoned as Area 5 within Planned Development District No. 465, the Arlington Park Special Purpose District, at the southwest corner of Chattanooga Place and Cemetery Drive
Recommendation of Staff: Approval for a permanent time period, subject to a site plan and conditions
Recommendation of CPC: Denial without prejudice
Z978-191/10159-NW(KC) **[DELETED ON THE ADDENDUM; 98-1597]**

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

45. Application for an amendment to Planned Development District No. 407 for Multifamily and TH-2(A) Townhouse District Uses and termination of Specific Use Permit No. 1221 for Multifamily Uses on the south side of Kiest Boulevard, east of Boulder Drive
Recommendation of Staff and CPC: Denial
Z978-177/9670-SW(KC) [CONTINUED UNTIL 06/24/98 WITH HEARING OPEN; 98-1598]

Note: This application was considered by the City Council at a public hearing on May 13, 1998, and was taken under advisement until May 27, 1998, with the public hearing open.

ITEMS FOR INDIVIDUAL CONSIDERATION

46. Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) **[APPOINTMENTS MADE TO BOARDS;98-1599]**
47. Authorize approval of the bi-weekly tax action **[APPROVED; 98-1600]**
48. Consent of the City of Dallas, Texas to the financing of the Crystal Hill Health and Rehabilitation in Dallas, Texas, by the Rusk County Health Facilities Corporation - Financing: No cost consideration to the City **[APPROVED; 98-1601]**
49. Authorize a twenty-four month price agreement for rental of heavy equipment with the lowest responsible bidders of twenty - C & K Equipment and Truck, Inc., Con Equipment, Conley Lott Nichols Machinery, Crocker Crane Co., Inc., Dallas Ford New Holland, Inc., Darr Equipment Co., Future Equipment Co., Inc., G M I Rental, Hertz Equipment Rental Corp., Martin Equipment Co., Moody Day, Prime Equipment, Progressive Tractor, RDO Equipment Co., and U S Rentals, Inc. - Not to exceed \$7,646,595 - Financing: Current Funds **(Tie Bids) [APPROVED; 98-1602; FUTURE EQUIPMENT CO., INC.]**

ITEMS FOR FURTHER CONSIDERATION

50. An ordinance abandoning a portion of Fairmount Street to Fairmount Mews, LLC, the abutting owner, containing approximately 3,750 square feet of land located near the intersection of Thomas Avenue and the Maple-Routh Connection, and authorizing the quitclaim - Revenue: \$52,594 plus the \$20 ordinance publication fee **[APPROVED; 98-1603; ORDINANCE NO. 23525]**

Closed Session **[NO CLOSED SESSION HELD; 98-1604]**

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

- Debra Walker, et al v. HUD, et al.
- City of Fort Worth v. City of Dallas, et al.,
Cause No. 48-171109-97 (lawsuit regarding the Shelby Amendment
to Wright Amendment)
- City of Dallas v. Department of Transportation, et al., Civil Action No. 4-97CV-939-A
Personnel (Sec. 551.074 T.O.M.A.)
- Discussion and evaluation of candidates for appointment to the position of City Secretary

ADDITIONS:ITEMS FOR INDIVIDUAL CONSIDERATION

1. An ordinance awarding a franchise for 10 years to OpTel (Texas) Telecom, Inc. to provide local exchange telephone services - Revenue: \$4,800,000 over 10 years **[APPROVED; 98-1605; ORDINANCE NO. 23526]**
2. Authorize **(1)** a public hearing to be held on June 10, 1998 to receive citizen comments on boundary amendments to **include** the Wilson Building located at the northwest corner of Main and Ervay Streets and to **exclude** the Kirby Garage located at 1500 and 1504 Elm Street from **Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (the "City Center TIF District")** and corresponding amendments to the Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District ("City Center TIF District Plan"); and **(2)** Council action amending both Ordinance Number 22802, which created the City Center TIF District on June 26, 1996, and Ordinance Number 23034, which approved the City Center TIF District Plan, to provide for these boundary changes in the City Center TIF District and to allow for the acquisition, alteration, remodeling, repair or reconstruction of historic buildings and other related plan amendments in connection with the City's acquisition of the Wilson Building - Financing: No cost consideration to the City **[APPROVED; 98-1606]**
3. Authorize adoption of salary schedules for sworn personnel in the Dallas Police Department and the Dallas Fire Department for the following time periods: June 30, 1990 through September 30, 1990; FY 90/91; FY 91/92; FY 92/93; FY 93/94; FY 94/95; FY 95/96; FY 96/97, and FY 97/98 - Not to exceed \$20,000 - Financing: Contingency Reserve Fund **[APPROVED; 98-1607]**

DELETION:

44. Application for a Specific Use Permit for Multifamily Uses on property presently zoned as Area 5 within Planned Development District No. 465, the Arlington Park Special Purpose District, at the southwest corner of Chattanooga Place and Cemetery Drive
Recommendation of Staff: Approval for a permanent time period, subject to a site plan and conditions
Recommendation of CPC: Denial without prejudice
Z978-191/10159-NW(KC) **[98-1597]**