

AGENDA
CITY COUNCIL MEETING
MARCH 27, 2002
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[02-1030]**

Agenda Item/Open Microphone Speakers **[02-1031]**

VOTING AGENDA

1. Approval of Minutes of the February 13, and 27, 2002 City Council Meetings
[02-1032; APPROVED]

CONSENT AGENDA **[02-1033; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Wendy Lopez & Associates, Inc. for the design, construction documents and construction administration for the Texas Buckeye Nature Trail - \$32,495 - Financing: 1998 Bond Funds (\$11,000 to be reimbursed from the Texas Parks & Wildlife Grant Funds)
[02-1034;APPROVED AS AN INDIVIDUAL ITEM, AS CORRECTED ON THE ADDENDUM]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with RJN Group, Inc. to provide engineering services for an inflow and infiltration study in Joe's Creek drainage area generally bounded by I.H. 635, Harry Hines Boulevard, Northwest Highway, Inwood Road - \$1,723,934 - Financing: Water Utilities Capital Improvement Funds **[02-1035; APPROVED]**

Authorization of Contracts

4. Authorize a contract with David Hickman for the design, fabrication and installation of an original sculpture to serve as an entry identifier for the main entrance to Redbird Airport (to be Dallas Executive Airport on May 1, 2002) - Not to exceed \$72,000 - Financing: Aviation Capital Construction Funds **[02-1036; APPROVED]**
5. Authorize a contract with Gregory Zeorlin for the design, fabrication and installation of an original 20' x 8' freestanding bronze plate screen with cut-out stylized vine patterns to be located outside the new outdoor dining area of the Visitors Pavilion at the Dallas Arboretum - Not to exceed \$66,000 - Financing: 1995 Bond Funds **[02-1037; APPROVED]**
6. Authorize a contract for the construction of a new recreation center at Timberglen Park - Alshall Construction Company, lowest responsible bidder of eight - \$1,973,500 - Financing: 1998 Bond Funds **[02-1038; APPROVED]**
7. Authorize a contract for the construction of a new playground including benches and sidewalk at Umphress Park - Southcrest Corporation, lowest responsible bidder of seven - \$50,977 - Financing: 1995 Bond Funds **[02-1039; APPROVED]**
8. Authorize a contract for playground replacement at Kleberg/Rylie Park - Parks for Play, Inc., lowest responsible bidder of six - \$72,909 - Financing: 1998-99 Community Development Grant Funds (\$59,500) and 1999-00 Community Development Grant Funds (\$13,409) **[02-1040; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

9. Authorize **(1)** a contract for the construction of street paving, storm drainage, water and wastewater improvements on Oak Grove Avenue from Lemmon Avenue east to Cityplace Boulevard west, storm drainage improvements on Lemmon Avenue east from Noble Avenue to McKinney Avenue and streetscape/sidewalk improvements to be constructed along Noble Avenue, Cityplace Boulevard west, Lemmon Avenue east, and Oak Grove Avenue adjacent to this development located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas (Cityplace TIF District) with Gibson & Associates, Inc., lowest responsible bidder of five in an amount not to exceed \$833,078, **(2)** assignment of the construction contract to Fairfield Blackburn Limited Partnership for construction administration, **(3)** payment to Fairfield Blackburn Limited Partnership in an amount not to exceed \$70,926 for design, construction administration, and testing, **(4)** the amount of \$51,696 for street lighting improvements **(5)** the amount of \$4,300 for traffic control signage by city forces - \$960,000 - Financing: Private Funds (Advance from Fairfield Blackburn Limited Partnership to the Cityplace TIF District Fund) **[02-1041; APPROVED]**
10. Authorize a contract for the construction of erosion control improvements on McCommas Branch at 7008 Alexander Drive - Craig Olden, Inc., lowest responsible bidder of two - \$84,500 - Financing: 1998 Bond Funds (\$35,579), 1995 Bond Funds (\$48,921) **[02-1042; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize a contract for Asphaltic Concrete Street Resurfacing 2002 - Group 1 on various improved streets (list attached) - Austin Bridge & Road, LP, lowest responsible bidder of six - \$5,720,167 - Financing: 1998 Bond Funds (\$4,321,550), Current Funds (\$1,334,061), Water Utilities Capital Construction Funds (\$64,556) **[02-1043; APPROVED]**

Contract Amendments

12. Authorize an increase in the contract with Dean Electric, Inc., dba Dean Construction to provide a fence at Butler-Nelson Cemetery and tennis court replacement at Tietze Park - \$146,737, from \$3,342,660 to \$3,489,397 - Financing: 1998 Bond Funds **[02-1044; APPROVED]**

Love Field Parking Garage Expansion

13. * Authorize Supplemental Agreement No. 5 to the contract with Hunt Construction Group, Inc. to increase the budget for general conditions for the Love Field Parking Garage Expansion - \$73,750, from \$3,147,810 to \$3,221,560, within the Guaranteed Maximum Price - Financing: No additional cost consideration for the City **[02-1045; APPROVED AS AN INDIVIDUAL ITEM]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

Love Field Parking Garage Expansion (Continued)

14. * Authorize an increase in the contract with Thos. S. Byrne, Inc. for the Love Field Parking Garage Expansion project - \$174,284, from \$39,188,053 to \$39,362,337, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[02-1046; APPROVED]**
15. Authorize Supplemental Agreement No. 1 to the contract with Camp, Dresser & McKee, Inc. to provide engineering design improvements and construction services for the ozone disinfection facilities at the Bachman Water Treatment Plant, East Side Water Treatment Plant and the Abrams Ground Storage Reservoir - \$2,179,318, from \$4,297,734 to \$6,477,052 - Financing: Water Utilities Capital Improvement Funds **[02-1047; APPROVED]**

Construction Miscellaneous

16. Authorize the cancellation of the benefit assessment hearing to be held on April 24, 2002, that was previously authorized on February 27, 2002 by Resolution No. 02-0788, for sidewalk paving improvements on Preston Road from LBJ Freeway to Forest Lane in order to reflect the changes in the scope of the project and to restart the assessment process for these improvements - Financing: No cost consideration to the City **[02-1048; APPROVED]**
17. Authorize the release of lien on Lot 10A, Block 17/5137, 4133 Dutton Drive due to the cancellation of the sidewalk replacement project by property owners - Financing: No cost consideration to the City **[02-1049; APPROVED]**
18. Authorize rescinding the contract with Global Advantage, Inc. previously approved by the City Council on September 26, 2001, pursuant to Resolution 01-2792 for the replacement of sidewalks, curb and gutter, drive approaches, water and wastewater adjustments for Sidewalk Replacement Group 01-04 (list attached) - Financing: No cost consideration to the City **[02-1050; APPROVED]**
19. Authorize **(1)** alley paving, storm drainage, water and wastewater main improvements for Alley Group 98-1117 (list attached); provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City **[02-1051; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

20. Authorize **(1)** street paving improvements on Bainbridge Avenue from Meadow Stone Lane to 700 feet south; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City **[02-1052; APPROVED]**
21. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements on Cheyenne Road from Lake June Road to Checota Drive; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City **[02-1053; APPROVED]**
22. Authorize **(1)** sidewalk paving improvements on Forest Lane from LBJ Freeway to Audelia Road; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City **[02-1054; APPROVED]**
23. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 98-431 (list attached); provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City **[02-1055; APPROVED]**
24. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 98-433 (list attached); provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on May 8, 2002, to receive citizens' comments - Financing: No cost consideration to the City **[02-1056; APPROVED]**

LAND ACQUISITION

25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from M. M. Berry and Leonard Berry of approximately 29,065 square feet of land for a permanent water easement and approximately 43,597 square feet of land for a temporary construction easement located near the intersection of Lancaster-Hutchins and Cleveland Roads for the Lancaster-Hutchins Road Water Main Project - \$5,318 - Financing: Water Utilities Capital Construction Funds **[02-1057; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS

26. An ordinance abandoning a utility easement to Prescott Interests Midway Plaza, Ltd., the abutting owner, containing approximately 7,608 square feet of land located near the intersection of Midway and Harvest Hill Roads, providing for the dedication of a new easement and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-1058; ORDINANCE NO. 24862; APPROVED]**
27. Authorize the conveyance of 3 wastewater easements containing a total of approximately 8,191 square feet of land and 3 temporary working space easements containing a total of approximately 31,128 square feet of land to the Town of Sunnyvale for the construction and maintenance of 3 wastewater mains located near the intersection of State Highway 80 and Long Creek Road - Revenue: \$1,509 **[02-1059; APPROVED]**
28. Authorize the conveyance of a wastewater easement to the City of Rowlett containing approximately 11,863 square feet of land for the construction and maintenance of a wastewater main near Lake Ray Hubbard - Financing: No cost consideration to the City **[02-1060; APPROVED]**
29. Authorize the conveyance of a drainage easement containing approximately 4,901 square feet of land and a temporary working space easement containing approximately 12,196 square feet of land to the City of Rowlett for the construction and maintenance of storm water drainage facilities across City-owned land in the City of Rowlett located near the intersection of Sperling Lane and Lakeview Circle - Financing: No cost consideration to the City **[02-1061; APPROVED]**
30. Declare 4 tracts of undevelopable City-owned land located near the intersection of Old Preston Court and Creek Hollow Drive unwanted and unneeded and authorize their sale to the abutting property owners (list attached) - Revenue: \$51,015 **[02-1062; APPROVED]**
31. An ordinance granting a revocable license to AT&T Corp. for the continued use of certain public rights-of-way to maintain and operate an existing long distance telecommunication service system - Revenue: \$39,098 annually plus the \$20 ordinance publication fee **[02-1063; DEFERRED UNTIL 04/24/02]**
32. An ordinance granting a private license to Dick Peoples and Tana Trichel for the use of approximately 211 square feet of land to install and maintain an awning over a portion of Commerce Street right-of-way located near its intersection with Pearl Expressway - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[02-1064; ORDINANCE NO. 24863; APPROVED]**
33. An ordinance granting a revocable license to Maggiano's/Corner Bakery, L.P. for the use of approximately 42 square feet of land to install and maintain awnings and signs over portions of Elm and Ervay Streets right-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[02-1065; ORDINANCE NO. 24864; APPROVED]**
34. An ordinance closing and vacating a portion of Forbes Street, containing approximately 7,360 square feet of land located near the intersection of Routh and Flora Streets - Financing: No cost consideration to the City **[02-1066; ORDINANCE NO. 24865; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

35. Authorize a thirty-six-month price agreement for repair and replacement of truck and trailer springs with the lowest responsible bidder of two - Southwest International Trucks, Inc. - Not to exceed \$111,365 - Financing: Current Funds (\$96,010) and Water Utilities Current Funds (\$15,355) **[02-1067; APPROVED]**
36. Authorize a thirty-six-month service contract, with two twelve-month renewal options for crowd management services at Fair Park with the only bidder - D & L Entertainment Services, Inc. - City will receive 20% of gross revenues, less sales tax - Estimated Annual Revenue: \$60,000 **[02-1068; APPROVED]**
37. Authorize a twenty-four-month price agreement for food for the birds, snakes and other reptiles at the Dallas Zoo with the lowest responsible bidders of five - Harlan Sprague Dawley, Inc., Texas Animal Specialties, The Gourmet Rodent, Professional Research & Referrals - Not to exceed \$608,534 - Financing: Current Funds **[02-1069; APPROVED AS AN INDIVIDUAL ITEM]**
38. Authorize a twenty-four-month price agreement to provide trees for the City of Dallas with the lowest responsible bidders of nine - Southwest Wholesale Nursery, Foster's Garden Center Landscapes, Inc., Miller Nursery & Tree, John Deere Landscapes - Not to exceed \$671,673 - Financing: Current Funds (\$362,615), Reforestation Funds (\$288,112), Water Utilities Current Funds (\$20,946) **Tie Bids [02-1070; DEFERRED UNTIL 04/10/02]**
39. Authorize a thirty-six-month price agreement for irrigation parts and supplies with the lowest responsible bidders of two - Longhorn, Inc. and Professional Turf Prod. of TX., Inc. - Not to exceed \$559,918 - Financing: Aviation Current Funds (\$5,000), Current Funds (\$540,584), Water Utilities Current Funds (\$14,334) **[02-1071; APPROVED AS AN INDIVIDUAL ITEM]**
40. Authorize a twelve-month service contract for security guard services with the lowest responsible bidder of seven - Stanley Smith Security dba Initial Security - Not to exceed \$1,643,552 - Financing: Water Utilities Current Funds **[02-1072; APPROVED]**

MISCELLANEOUS

41. Authorize settlement of a claim filed by Southwestern Bell Telephone Company, Claim No. 95008526 - \$12,155 - Financing: Current Funds **[02-1073; APPROVED]**
42. Authorize settlement of a lawsuit, styled Nancy Carol Mensing and Christopher Mensing v. City of Dallas and Lajimian D. Blocker, Individually and as an Employee of the City of Dallas, Cause No. 01-02747-D - \$9,000 - Financing: Current Funds **[02-1074; APPROVED]**
43. Authorize settlement of a lawsuit, styled Stacy Martin, Individually and as Next Friend of Chelsea Howland, a minor v. Claude Henry Adams and City of Dallas, Cause No. cc-01-03121-c - \$8,500 - Financing: Current Funds **[02-1075; APPROVED]**
44. Authorize Supplemental Agreement No. 2 to the professional services contract with Taylormark Consulting, for additional consultant services necessary to upgrade the City Attorney's Office computer network - Not to exceed \$48,000, from \$19,000 to \$67,000 - Financing: Current Funds **[02-1076; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

45. Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Demonstration Program (now known as the Home Repair Program) for homeowners, Thomas D. Wilkins and Betty Wilkins, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: 1998-99 Community Development Grant Funds (\$27,500) and Current Funds (\$22,500) **[02-1077; APPROVED AS AN INDIVIDUAL ITEM]**
46. Authorize a loan agreement with Co-Op Supply which is located at 723 Exposition in the South Dallas/Fair Park Trust Fund target area to provide funding for the purchase of inventory and operating expenses - Not to exceed \$50,000 - Financing: South Dallas/Fair Park Trust Funds **[02-1078; APPROVED AS AN INDIVIDUAL ITEM]**
47. Authorize amendments to Resolution No. 01-2075 approved on June 27, 2001 to modify the provisions of the contract with Dallas CBD Enterprises to manage special supplemental services for improvement and promotion of the Dallas Downtown Improvement District to **(1)** correct the collection fee for assessment services for the collection of the special assessments to reflect the fee charged by Dallas County to perform such services and to reflect the costs to the city to provide management services provided by the City and **(2)** grant Dallas CBD Enterprises the ability to modify or substitute items without City Council approval within the program categories in the Service Plan if the increase and decrease in the amounts of the program categories do not exceed twenty percent (20%) of the budgeted amount for that category - Financing: No cost consideration to the City **[02-1079; APPROVED]**
48. Authorize economic development grant agreements with seventeen community-based nonprofit agencies to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding as follows: **(1)** Girls, Inc. in an amount not to exceed \$20,000; **(2)** The Child Care Group in an amount not to exceed \$10,000; **(3)** St. Phillips Neighborhood Development Corporation in an amount not to exceed \$10,000; **(4)** Vision Regeneration in an amount not to exceed \$20,000; **(5)** Head Start of Greater Dallas in an amount not to exceed \$10,000; **(6)** The Science Place in an amount not to exceed \$10,000; **(7)** Renaissance CDC in an amount not to exceed \$20,000; **(8)** Communities in Schools in an amount not to exceed \$10,000; **(9)** Operation Relief CDC in an amount not to exceed \$15,000; **(10)** Holmes Street Foundation in an amount not to exceed \$15,000; **(11)** Vision of Hope Christian Counseling Center in an amount not to exceed \$15,000; **(12)** Friends of MLK in an amount not to exceed \$10,000; **(13)** Inner Community Development Corporation in an amount not to exceed \$20,000; **(14)** Skillful Living Center, Inc. in an amount not to exceed \$10,000; **(15)** Dallas Museum of Natural History in an amount not to exceed \$6,727; **(16)** Jeffries Street Learning Center in an amount not to exceed \$20,000; **(17)** St. Anthony Community Center in an amount not to exceed \$15,217 - Total not to exceed \$236,944 - Financing: South Dallas/Fair Park Trust Funds **[02-1080; APPROVED]**

Octavius, LLC/Davis Building

49. * Rescind City Council Resolution Nos. 01-2095, 01-2096, previously approved on June 27, 2001 and 01-3042, previously approved on October 10, 2001, that amended a development agreement and a purchase and sale agreement with Octavius, LLC regarding the redevelopment of the Davis Building - Financing: No cost consideration to the City **[02-1081; APPROVED]**
50. * Authorize an amendment to Resolution No. 99-1432, previously approved on April 28, 1999 to amend the provisions of the development agreement to **(1)** allow a 30 percent reimbursement for the eligible facade improvements and infrastructure and landscaping improvements in Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$250,000; **(2)** amend the required development to conform with revised development plan that reduces the total private investment from \$45,000,000 to \$35,000,000 and modifies the building use; **(3)** amend the project completion date to June 30, 2004; and **(4)** change the contracting party from Octavius, LLC to Hamilton Davis, LLP - Financing: No cost consideration to the City **[02-1082; APPROVED]**
51. * Authorize an amendment to Resolution No. 99-1434, previously approved on April 28, 1999 to amend the provisions of the purchase and sale agreement to **(1)** amend the required development to conform with revised development plan that reduces the total private investment from \$45,000,000 to \$35,000,000 and modifies the building use; and **(2)** amend the project completion date to June 30, 2004; and **(3)** change the contracting party from Octavius, LLC to Hamilton Davis, LLP - Financing: No cost consideration to the City **[02-1083; APPROVED]**
52. Authorize an amendment to Resolution Nos. 01-3354, 01-3355, previously approved on November 14, 2001 to change the entity from Fairfield Residential LLC to the newly created entity Fairfield Blackburn Limited Partnership - Financing: No cost consideration to the City **[02-1084; APPROVED]**
53. Authorize the acceptance of \$10,000 and a Supplemental Agreement to the contract with the Texas Department of Health to increase funding for the Diabetes Awareness and Prevention Program for the period July 1, 2001 through June 30, 2002 - Not to exceed \$10,000, from \$44,000 to \$54,000 - Financing: Texas Department of Health Grant Funds **[02-1085; APPROVED]**
54. Authorize Contract Renewal No. 1 with The Bethlehem Foundation for the provision of a family stabilization program that will address the problems of economically disadvantaged persons in the City of Dallas for the period of April 13, 2002 through April 30, 2003 - Not to exceed \$65,000 - Financing: Current Funds **[02-1086; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

55. Authorize the acceptance of an amended Land Assembly Proposal for the property located at 4719 Live Oak from East Dallas Community Organization and execution of a correction deed and amended Deed Restrictions - Financing: No cost consideration to the City **[02-1087; APPROVED]**
56. Authorize **(1)** an amendment to the FY 2001-02 development agreement with Dallas Neighborhood Alliance for Habitat, a City of Dallas certified Community Housing Development Organization, to include additional funding for lot development cost for the Greenleaf Village project in West Dallas, in exchange for the City's sponsorship in the development of one single-family home located at 2553 Poincianna, and **(2)** establishment of appropriations in the amount of \$60,000 in Walker Trust Funds interest earnings for lot development cost for the Greenleaf Village project - \$60,000 - Financing: Walker Trust Funds **[02-1088; APPROVED AS AN INDIVIDUAL ITEM]**
57. Authorize the reconstruction on site of one home in accordance with the Home Repair Program Statement requirements for the property located at 2416 Cadillac Drive - Not to exceed \$50,000 - Financing: 1999-00 HOME Funds **[02-1089; DEFERRED UNTIL 04/24/02]**
58. Approval of a lease by the Hackberry Cultural Education Facilities Finance Corporation in an amount not to exceed \$2,250,000, specifically for satellite equipment, broadcasting equipment, computer equipment, studio furnishings, and software for the National Captioning Institute, Inc., to be located at 7610 Stemmons Freeway, Dallas, Texas - Financing: No cost consideration to the City **[02-1090; APPROVED]**
59. Authorize exemption from City of Dallas property taxation for travel trailers, as defined in Section 11.142 of the State Property Tax Code, effective with the 2002 tax year - Estimated Revenue Loss: No estimate available **[02-1091; APPROVED AS AN INDIVIDUAL ITEM]**
60. Authorize adoption of the West Davis Land Use Study and approval of the recommendations contained therein as a guide in the implementation of future development along the West Davis Street corridor between Hampton Road and Walton Walker Boulevard (Loop 12) - Financing: No cost consideration to the City of Dallas **[02-1092; APPROVED]**
61. An ordinance authorizing a correction to Ordinance No. 24543 which established an R-1/2ac(A) Single Family District on property on the west side of Kiwanis Road, south of Grady Niblo Road (Z978-220/8029-SW(LS)) - Financing: No cost consideration to the City **[02-1093; DEFERRED UNTIL 04/10/02]**
62. An ordinance authorizing a correction to Ordinance No. 24773 on property within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest side of Hondo Avenue, northeast of Harry Hines Boulevard to clarify the zoning change to a Multiple Family Subdistrict (Z001-253/11513-NE(WE)) - Financing: No cost consideration to the City **[02-1094; ORDINANCE NO. 24866]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

63. Authorize the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a seat belt enforcement initiative, for the period May 20, 2002 through June 2, 2002, a City contribution of pension and FICA costs of \$20,358 and execution of the grant agreement - \$92,598 - Financing: Current Funds (\$20,358) Texas Department of Transportation Grant Funds (\$72,240) **[02-1095; APPROVED]**
64. An ordinance amending Chapter 28, Section 55, of the Dallas City Code to change restrictions of left turns in the Central Business District and deletion of Section 57 that currently require operators of parking lots in the Central Business District to post no left turn signs at their facility - Financing: No cost consideration to the City **[02-1096; ORDINANCE NO. 24867; APPROVED AS AN INDIVIDUAL ITEM]**
65. Authorize submission of the list of candidate projects to the North Central Texas Council of Governments for the Transportation Equity Act for the 21st Century Program's Second Call for Projects, and authorize acceptance and implementation of the projects selected by the North Central Texas Council of Governments' Regional Transportation Council for the TEA-21 Program (list attached) - Financing: The maximum amount available from the Transportation Equity Act for the 21st Century Program is \$49,000,000 and the City's match will not exceed 20 percent (\$9,800,000) **[02-1097; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [02-1098; APPROVED]

66. An application for and an ordinance granting an amendment to Specific Use Permit No. 1090 to allow for the expansion of Mitchell Elementary School on property zoned an R-7.5(A) Single Family District, on the northeast corner of Voss Road and Briargrove Lane
Recommendation of Staff and CPC: Approval, subject to a site plan and conditions Z012-156(WE) **[02-1099; ORDINANCE NO. 24868; CPC RECOMMENDATION FOLLOWED]**
67. An application for and an ordinance granting an amendment to Specific Use Permit No. 1200 to allow for the expansion of Rose Hagggar Elementary School on property zoned an R-7.5(A) Single Family District, on the northeast corner of Campbell Road and Richwater Drive
Recommendation of Staff and CPC: Approval, subject to a site plan and conditions Z012-157(WE) **[02-1100; ORDINANCE NO. 24869; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - INDIVIDUAL

68. An application for a Specific Use Permit for a Commercial amusement (inside) use for a dance hall on property zoned a CR Community Retail District on Northwest Highway, east of Webb Chapel Extension
Recommendation of Staff and CPC: Denial
Z012-145(EB) [02-1101; DELETED ON THE ADDENDUM]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

69. A City Plan Commission authorized hearing to determine proper zoning with consideration being given to the amendment or termination of Specific Use Permit No. 1433 for a Commercial bus station and terminal and an ordinance terminating Specific Use Permit No. 1433 on property presently zoned a CS Commercial Service District on West Davis Street, west of Westmoreland Avenue
Recommendation of Staff: No change in zoning
Recommendation of CPC: Termination of Specific Use Permit No. 1433
Z001-258(RB)
Note: This item was considered by the City Council at a public hearing on January 9, 2002, and was taken under advisement until March 27, 2002, with the public hearing open. **[02-1102; REFERRED BACK TO CITY PLAN COMMISSION]**
70. An application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 442 for an Institution of religious, charitable and philanthropic nature for a YMCA to permit an Open-enrollment charter school on the east corner of Romine Street and Latimer Street
Recommendation of Staff and CPC: Approval, for a two-year period with eligibility for automatic renewal for additional two-year periods
Z012-104(RB)
Note: This item was considered by the City Council at a public hearing on February 27, 2002, and was taken under advisement until March 27, 2002, with the public hearing open. **[02-1103; CONTINUED UNTIL 06/12/02; HEARING OPEN]**
71. An application for and an ordinance granting an RR Regional Retail District on property zoned an MC-3 Multiple Commercial District on Garland Road, southwest of Northwest Highway
Recommendation of Staff and CPC: Approval
Z012-128 (RB)
Note: This item was considered by the City Council at a public hearing on February 27, 2002, and was taken under advisement until March 27, 2002, with the public hearing open. **[02-1104; ORDINANCE NO. 24870; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

72. An application for and a resolution authorizing acceptance of a deed restriction instrument amending the existing deed restrictions for Area C on the subject site to amend the restrictions regarding signs, on property zoned a CR Community Retail District on the southwest corner of Dallas North Tollway and Frankford Road
Recommendation of Staff and CPC: Approval
Z990-265(RB)
Note: This item was considered by the City Council at a public hearing on February 13, 2002, and was taken under advisement until March 27, 2002, with the public hearing open. **[02-1105; CONTINUED UNTIL 04/24/02; HEARING OPEN]**
73. An application for and an ordinance granting a Planned Development District for a Mini-warehouse Use and CR Community Retail District Uses on property presently zoned a CR-D Community Retail-Dry District on the northwest corner of Military Parkway and St. Augustine Road
Recommendation of Staff and CPC: Approval subject to a conceptual plan, a development/landscape plan and conditions
Z001-259 (FD)
Note: This item was considered by the City Council at a public hearing on November 14, 2001, and was held under advisement until March 27, 2002, with the public hearing open. **[02-1106; ORDINANCE 24871; OVERRULED CPC'S RECOMMENDATION]**
74. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an NS(A)-D-1 Neighborhood Service-Dry-1 District on Casa Grande Drive between Seagoville Road and Rim Rock Road
Recommendation of Staff and CPC: Approval with retention of the D-1 Liquor Control Overlay District on that portion of the request site zoned an NS(A)-D-1 Neighborhood Service-Dry-1 District
Z001-255(RB)
Note: This item was considered by the City Council at a public hearing on February 13, 2002, and was taken under advisement until March 27, 2002, with the public hearing open and that it be sent back to the City Plan Commission for further review. **[02-1107; ORDINANCE NO. 24872; CPC RECOMMENDATION FOLLOWED]**
75. An application for and an ordinance granting an amendment to Planned Development District No. 317, the Cedars Special Purpose District to create a new subdistrict for mixed uses in an area generally bounded by Belleview Street, the M.K. & T. Railroad, Austin Street, Cadiz Street, Powhatten Street and Lamar Street
Recommendation of Staff and CPC: Approval
Z012-108 (FD)
Note: This item was considered by the City Council at a public hearing on February 13, 2002, and was taken under advisement until March 27, 2002, with the public hearing open. **[02-1108; ORDINANCE NO. 24873; CPC RECOMMENDATION FOLLOWED AS AMENDED]**

BENEFIT ASSESSMENT HEARINGS

76. A benefit assessment hearing for sidewalk paving for Sidewalk Group 98-114 (list attached), and upon closure of the hearing, authorize a contract for the construction with Roadway Engineering & Construction, Inc., lowest responsible bidder of five - \$246,522 - Financing: 1998 Bond Funds (\$242,502), Water Utilities Capital Construction Funds (\$4,020) **[02-1109; HEARING CLOSED]**

MISCELLANEOUS HEARINGS

77. A public hearing to receive citizens' comments on the proposed change to the City of Dallas FY 2000-01 U.S. Department of Housing and Urban Development Action Plan for the N2WIN!/BAMA Pie Project from "job creation" to reflect the HUD National Objective: 570.208(b)(2) - addressing Slum or Blight on a Spot Basis and Eligibility: 570.202 & 570.202(d) - eligible Rehabilitation and Preservation activities/Historic Preservation - Financing: No cost consideration to the City **[02-1110; HEARING CLOSED]**
78. A public hearing to receive citizens' comments in preparation of the FY 2002-03 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **(To be considered no earlier than 11:00 a.m.) [02-1111; HEARING CLOSED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

79. Consideration of appointments to boards and commissions, and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office) **[02-1112; APPOINTMENTS MADE TO BOARDS]**
80. Authorize a one-time pro rata payment of Service Incentive Pay for employees involuntarily terminated as a result of a reduction in force due to FY 2001-02 budgetary constraints **[02-1113; APPROVED]**
81. An ordinance amending Chapter 34 of the Dallas City Code effective April 1, 2002, to significantly revise the provisions of the Personnel Rules for definitions; terms for appointment, reappointment, transfer, promotion, probation, discipline, and termination; provisions for work schedules, compensation, benefits, leave policies; provisions for qualifications, deadlines, requirements, and procedures relating to appeals from grievance decisions and disciplinary actions; provisions for benefits, including wage supplementation for injured City employees; and certain nonsubstantive provisions - Financing: No cost consideration to the City **[02-1114; ORDINANCE NO. 24874; APPROVED]**
82. An ordinance appointing Linda A. Hale, Aaron S. Kaufman, and Ruth Catherine Logan as associate (part-time) municipal judges for the City of Dallas municipal court of record for a term ending May 31, 2002 - Financing: No additional cost consideration to the City **[02-1115; ORDINANCE NO. 24875; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

83. Authorize adoption of the Cedars Area Plan to serve as a policy guide for future decisions in Planned Development District No. 317, the Cedars Special Purpose District, regarding land use, zoning, urban design, transportation, and other miscellaneous issues - Financing: No cost consideration to the City **[02-1116; APPROVED]**

84. An ordinance abandoning a water easement and sanitary sewer easements to LL Property Partners, L.P., the abutting owner, containing a total of approximately 2,460 square feet of land located near the intersection of Lovers Lane and Bluffview Boulevard, providing for the dedication of new water and wastewater easements, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-1117; DEFERRED UNTIL 04/24/02]**

ADDENDUM

ADDITIONS:

Closed Session **[02-1118; CLOSED SESSION NOT HELD]**

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

- City of Dallas v. Explorer Pipeline Company, Inc., et al., 160th Judicial District, Dallas County, Texas, Cause No. 00-09678

ITEMS FOR INDIVIDUAL CONSIDERATION

1. An ordinance amending Ordinance No. 24114 to provide for consideration to be paid to the City to remove the requirement to dedicate private drives in exchange for the abandoned Liberty Street and Allen Street rights-of-way near the intersection of Ross Avenue - Revenue: \$119,927 plus the \$20 ordinance publication fee **[02-1119; ORDINANCE NO. 24876; APPROVED]**
2. An ordinance abandoning a portion of a drainage easement to GalTex, LLC, the abutting owner, containing approximately 5,675 square feet of land located near the intersection of Forest Lane and North Central Expressway, authorizing the quitclaim and providing for the dedication of a new drainage easement - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-1120; ORDINANCE NO. 24877; APPROVED]**
3. An ordinance abandoning an alley to Charles V. Grahmann, Bishop of the Roman Catholic Diocese of Dallas, the abutting owner, containing approximately 4,328 square feet of land near the intersection of Saner and Harlandale Avenues and providing for the quitclaim - Revenue: \$3,311 plus the \$20 ordinance publication fee **[02-1121; ORDINANCE NO. 24878; APPROVED]**
4. A resolution encouraging the Dallas Area Rapid Transit Board of Directors to endorse a minimum of two-thirds Dallas Area Rapid Transit and a maximum of one-third City of Dallas joint funding commitment for the additional cost of modifying the preferred Northwest Corridor light rail transit alternative alignment to place a light rail transit station in the Love Field Airport terminal at an additional estimated project cost of \$160,000,000 (City's match will not exceed \$52,800,000) - Financing: This action has no cost consideration to the City **[02-1122; APPROVED]**

ADDENDUM

ADDITIONS:

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

5. Authorize **(1)** four contracts for construction materials and services for the Latino Cultural Center in an amount not to exceed \$491,209, within the Guaranteed Maximum Price (list attached), and **(2)** assignment of the contracts to Thos. S. Byrne, Inc., for construction management - Financing: No additional cost consideration to the City **[02-1123; APPROVED]**
6. Authorize **(1)** an amendment to the 2002 City Council Calendar to add a City Council meeting on April 8, 2002 at Dallas City Hall in the Council Chambers at 6:00 p.m. and **(2)** a public hearing to be held on April 8, 2002 at Dallas City Hall in the Council Chambers at 6:00 p.m. to receive citizens' comments in preparation for the proposed City Charter Review - Financing: No cost consideration to the City **[02-1124; APPROVED]**

CORRECTIONS:

2. Authorize a professional services contract with Wendy Lopez & Associates, Inc., dba LopezGarcia Group for the design, construction documents and construction administration for the Texas Buckeye Nature Trail - \$32,495 - Financing: 1998 Bond Funds (\$11,000 to be reimbursed from the Texas Parks & Wildlife Grant Funds) **[02-1034]**
38. CATEGORY: ~~PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES~~
ITEMS FOR INDIVIDUAL CONSIDERATION
38. Authorize a twenty-four-month price agreement to provide trees for the City of Dallas with the lowest responsible bidders of nine - Southwest Wholesale Nursery, Foster's Garden Center Landscapes, Inc., Miller Nursery & Tree, John Deere Landscapes - Not to exceed \$671,673 - Financing: Current Funds (\$362,615), Reforestation Funds (\$288,112), Water Utilities Current Funds (\$20,946) **(Tie Bids)** **[02-1070]**

DELETION:

68. An application for a Specific Use Permit for a Commercial amusement (inside) use for a dance hall on property zoned a CR Community Retail District on Northwest Highway, east of Webb Chapel Extension
Recommendation of Staff and CPC: Denial
2012-145(EB)
[02-1101]