

AGENDA
CITY COUNCIL MEETING
AUGUST 14, 2002
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Moment of Silence and Pledge of Allegiance (Council Chambers) [02-2180]

Agenda Item/Open Microphone Speakers [02-2181]

VOTING AGENDA

1. Approval of Minutes of the June 26, 2002 City Council Meeting [02-2182;
APPROVED]

CONSENT AGENDA [02-2183]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize **(1)** a professional services contract with Brown, Reynolds and Watford Architects, Inc. for a feasibility study and master plan for the Trinity Interpretive Center, Trinity Equestrian Center and other associated components, and **(2)** assignment of the contract to the Park and Recreation Department to manage - \$500,000 - Financing: 1998 Bond Funds [02-2184; **APPROVED AS AN INDIVIDUAL ITEM]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Biggs and Mathews Environmental for the design, preparation of construction drawings and specifications for Waste Cell No. 5, and providing quarterly and annual airspace estimates for McCommas Bluff Landfill - Not to exceed \$85,000 - Financing: Current Funds [02-2185; **APPROVED AS AN INDIVIDUAL ITEM**]

Authorization of Contracts

4. Authorize a contract for exterior renovation including demolition, concrete, lighting, plaster, glazing, storefront, fencing and anti-graffiti coating at Kiest Park Recreation Center - Vortex Construction, lowest responsible bidder of two - \$243,736 - Financing: 1998 Bond Funds [02-2186; **APPROVED**]
5. Authorize **(1)** a contract for the construction of street paving, streetscaping, utilities, storm drainage, water and wastewater main improvements, State-Thomas Phase XI, at the northeast corner of State Street and Worthington Street located in Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) with Gibson & Associates, Inc., lowest responsible bidder of three, in an amount not to exceed \$713,780, **(2)** assignment of the construction contract to Perry Homes, a joint venture, for construction administration, and **(3)** payment to Perry Homes, a joint venture, in an amount not to exceed \$164,802 for design, construction administration and street lighting - Total not to exceed \$878,582 - Financing: Private Funds (Advance from Perry Homes, a joint venture, to the State-Thomas TIF District Fund) [02-2187; **APPROVED AS AN INDIVIDUAL ITEM**]
6. Authorize a contract for the construction of three additional anaerobic digesters at the Southside Wastewater Treatment Plant - Eagle Contracting, L.P., lowest responsible bidder of three - \$21,271,000 - Financing: Water Utilities Capital Improvement Funds [02-2188; **APPROVED**]

Contract Amendments

7. Authorize **(1)** Supplemental Agreement No. 2 to the contract with Brown Reynolds Watford Architects, Inc. to provide structural analysis of shrouding and hoisting loading effects for the communications towers located at 3131 Dawson Street and Fair Park and design and preparation of bid documents for a communications tower at Fire Station No. 37, located at Greenville Avenue and Blackwell Street, in an amount not to exceed \$41,950, from \$75,545 to \$117,495, and **(2)** a contract for structural repairs to two communications towers located at 3131 Dawson Street and Fair Park and preparation and recoating of the 3131 Dawson Street tower with J & N International Coatings, Inc., lowest responsible bidder of two, in an amount not to exceed \$538,000 - Total not to exceed \$579,950 - Financing: Capital Construction Funds (\$549,000), Communication Service Funds (\$30,950) [02-2189; **APPROVED AS AN INDIVIDUAL ITEM**]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

8. Authorize an increase in the contract with Manhattan Construction Company for construction changes related to civil, structural, electrical, TXU vault, mechanical, plumbing, fire protection, and architectural work for the Dallas Convention Center Expansion & Renovation 2002 project - \$721,249, from \$95,573,923 to \$96,295,172, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[02-2190; APPROVED]**
9. Authorize an increase in the contract with Constructors & Associates, Inc. for exterior concrete step repair at the upper plaza adjacent to Pioneer Cemetery for the Dallas Convention Center Unification project - \$31,143, from \$939,332 to \$970,475, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[02-2191; APPROVED]**
10. Authorize Supplemental Agreement No. 1 to the contract with HBC Engineering, Inc. for additional construction material testing services during construction of the Dallas Convention Center Expansion and Renovation 2002 project - \$78,000, from \$535,994 to \$613,994 - Financing: 1998 Convention Center Expansion Funds **[02-2192; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize **(1)** an increase in the contract with Satterfield & Pontikes, Inc. to provide magnetic lock revisions, a revision to the parapet wall radius, extension of the telephone ductbank, revision of the metal roof, elevator and stair roof penthouse revisions, and electrical revisions at the Jack Evans Police Headquarters facility in an amount not to exceed \$414,830, from \$21,694,366 to \$22,109,196, within the Guaranteed Maximum Price, **(2)** an increase in the contract with Constructors & Associates, Inc. to provide additional door security devices, lighting revisions at elevator vestibules, electrical and ceiling modifications to accommodate a future Police Museum, and lighting revisions at the lobby for the public art installation, in an amount not to exceed \$144,835, from \$12,356,678 to \$12,501,513, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[02-2193; APPROVED]**

Construction Miscellaneous

12. Authorize an increase in the agreement with the Texas Department of Transportation for the relocation of an 8-inch water main in State Highway Spur 482 - \$7,500, from \$5,000 to \$12,500 - Financing: Water Utilities Capital Construction Funds **[02-2194; APPROVED]**
13. Authorize an Interlocal Agreement with the Texas Department of Transportation to upgrade traffic signal hardware at the intersection of Gaston Avenue and Hall Street - \$7,000 - Financing: 1998 Bond Funds **[02-2195; APPROVED AS AN INDIVIDUAL ITEM]**

LAND ACQUISITION

14. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Dorothy I. Davis, Trustee of Gordon R. Davis, Sr., and Dorothy I. Davis Revocable Living Trust, of approximately 34 acres of land improved with a single family dwelling located near the intersection of Berry Drive and Union Pacific Railroad for the East Side Water Treatment Plant - \$753,000 and eligible relocation benefits, not to exceed \$22,500 for owner-occupied property, plus reasonable moving expenses - Financing: Water Utilities Capital Improvement Funds **[02-2196; APPROVED]**
15. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from P. D. England, Ltd. of approximately 1,592 square feet of unimproved land located near the intersection of Tatum Avenue and Goodman Street for Tatum Avenue street improvements - \$5,250 - Financing: 1998 Bond Funds **[02-2197; APPROVED]**
16. Authorize settlement in lieu of proceeding with condemnation of Guadalupe Moreno for approximately 6,875 square feet of land improved with a single family dwelling located near the intersection of Dawson and Baylor Streets for the Central Service Center Project - \$50,000 and eligible relocation benefits, not to exceed \$22,500, for owner-occupied property, plus reasonable moving expenses - Financing: Capital Construction Funds **[02-2198; APPROVED]**

LAND MISCELLANEOUS

17. An ordinance abandoning certain air rights over a portion of Caroline Street to IC Development XII, Ltd., the abutting owner, containing approximately 6,996 square feet located near its intersection with Olin Welborn Street, providing for the dedication of approximately 3,473 square feet of land needed for street right-of-way, and authorizing the quitclaim - Revenue: \$164,405 plus the \$20 ordinance publication fee **[02-2199; ORDINANCE 24987; APPROVED AS AN INDIVIDUAL ITEM]**
18. An ordinance abandoning a utility easement containing approximately 4,010 square feet of land, water easements containing approximately 3,070 square feet of land and a sanitary sewer easement containing approximately 2,198 square feet of land located near the intersection of Skillman Street and Fisher Road to W. W. Caruth, Jr. Foundation, the abutting owner, providing for the dedication of new easements and providing for the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-2200; DELETED]**
19. An ordinance granting a revocable license to Smith & Hawken, Ltd. for the use of approximately 591 square feet of land to maintain existing landscaping, a fence and patio on a portion of Travis Street right-of-way located near its intersection with Knox Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[02-2201; ORDINANCE 24988; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

20. An ordinance abandoning a fire lane easement to David A. Walker, the abutting owner, containing approximately 16,549 square feet of land located near the intersection of Ledbetter Drive and Duncanville Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-2202; ORDINANCE 24989; APPROVED]**
21. An ordinance abandoning a fire lane easement to Oak Hollow Housing, L.P., the abutting owner, containing approximately 23,652 square feet of land located near the intersection of Ledbetter Drive and Bonnie View Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-2203; ORDINANCE 24990; APPROVED]**
22. An ordinance abandoning a sewer easement to Homer J. Rader, Jr., the abutting owner, containing approximately 2,239 square feet of land located near the intersection of Wood and St. Paul Streets, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-2204; DELETED]**
23. An ordinance abandoning a utility easement to J. G. Moore & Co., Inc., the abutting owner containing approximately 7,357 square feet of land located near the intersection of Pavillion and San Jacinto Streets, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee **[02-2205; ORDINANCE 24991; APPROVED]**
24. An ordinance granting a private license to DDC Holdings II, L.P. for the use of approximately 8,171 square feet of land to maintain existing landscaping, irrigation and concrete stair landings on a portion of Slocum Street right-of-way near its intersection with Howell Street - Revenue: \$4,168 annually plus the \$20 ordinance publication fee **[02-2206; ORDINANCE 24992; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

25. Authorize a thirty-six-month service contract to provide armed security guard services for the Dallas Central Library, Oak Cliff Municipal Center, and Southeast Service Center with the lowest responsible bidder of ten - Ruiz Protective Service, Inc. - Not to exceed \$3,062,400 - Financing: Current Funds **[02-2207; APPROVED]**
26. Authorize a thirty-six-month price agreement for chemicals to treat swimming pools, fountains and water filters with the lowest responsible bidders of three - DCC, Inc., Sunbelt Pools, Inc., and Harcros Chemicals, Inc. - Not to exceed \$943,024 - Financing: Current Funds (\$670,436) and Water Utilities Current Funds (\$272,588) **[02-2208; APPROVED]**
27. Authorize a thirty-six-month price agreement for cement treated base with the lowest responsible bidders of two - TXI Operations, LP and Beall Concrete Enterprises, Ltd. - Not to exceed \$857,263 - Financing: Current Funds **[02-2209; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

28. Authorize a thirty-six-month price agreement for cardiac and injectable drugs with the lowest responsible bidders of six - Emergency Medical Products, Inc., Ever Ready First Aid & Medical Supply Corp. dba Dixie USA - EMS Supply, Sun Belt Medical Supply, Inc. dba Sun Belt Medical/Emergi-Source and VitaCare, Inc. - Not to exceed \$490,052 - Financing: Current Funds **[02-2210; APPROVED]**
29. Authorize a thirty-six-month price agreement for electrical supplies with the lowest responsible bidder of two - Wesco Distribution - Not to exceed \$5,421,126 - Financing: Water Utilities Current Funds (\$3,509,137), Current Funds (\$1,553,989), Aviation Current Funds (\$120,000), 2001-02 Community Development Grant Funds (\$3,000), Convention and Event Services Current Funds (\$235,000) **[02-2211; APPROVED AS AN INDIVIDUAL ITEM]**
30. Authorize the rejection of bids received for hydraulic cylinder, pump and valve repair and authorize the readvertisement for new bids - Financing: No cost consideration to the City **[02-2212; APPROVED]**
31. Authorize a twenty-four-month service contract to provide non-emergency wrecker service with the lowest responsible bidder of nine - Recovery Systems, Inc. dba Pro Tow - Not to exceed \$762,800 - Financing: Current Funds **[02-2213; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize a thirty-six-month price agreement for ArvinMeritor brake, driveline, axle, clutch and suspension parts for Dallas Fire Department with the lowest responsible bidders of seven - Southwest International Trucks, Inc. and Equipment Southwest, Inc. - Not to exceed \$180,000 - Financing: Current Funds **[02-2214; APPROVED]**
33. Authorize a thirty-six-month price agreement for emergency road flares with the lowest responsible bidder of five - Standard Fusee Corp. dba Orion Safety Products - Not to exceed \$656,235 - Financing: Current Funds (\$647,363), Water Utilities Current Funds (\$8,872) **[02-2215; APPROVED]**
34. Authorize a twelve-month service contract for janitorial services at the Morton H. Meyerson Symphony Center with TIBH Industries, Incorporated - Not to exceed \$518,828 - Financing: Current Funds (subject to future appropriations) **[02-2216; APPROVED]**
35. Authorize a twenty-four-month price agreement for Geographic Information System software, training, and consulting with Environmental Systems Research Institute - Sole Source - Not to exceed \$500,000 - Financing: Current Funds **[02-2217; APPROVED]**
36. Authorize a twenty-four-month price agreement for plastic sewer couplings and lateral cleanouts with the lowest responsible bidders of four - Dal-Tex Specialty & Manufacturing Co. dba Dallas Specialty & Manufacturing Co., and Mike Harms Associates, Inc. - Not to exceed \$210,512 - Financing: Water Utilities Current Funds **[02-2218; APPROVED]**

RATIFICATION OF EMERGENCY PURCHASE

37. Ratify an emergency purchase of three vehicles from Prestige Ford to be utilized by and assigned to the Canine Explosive Detection Teams at Dallas Love Field - \$71,998 - Financing: Aviation Current Funds [02-2219; APPROVED]

MISCELLANEOUS

38. Authorize **(1)** application for and acceptance of the Community Prosecution Implementation Grant to implement a Community Prosecution program, for the period June 1, 2002 through November 30, 2003; **(2)** a cash match estimated to be \$27,002 in FY 2001-02, \$81,007 in FY 2002-03 and \$13,501 in FY 2003-04; and **(3)** execution of the grant agreement - Total not to exceed \$321,302 - Financing: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Federal Grant Funds (\$199,792), and Current Funds (\$121,510) (subject to annual appropriations) [02-2220; APPROVED]
39. Authorize settlement of a lawsuit, styled David Womble v. City of Dallas, Cause No. DV-01-05567-K - \$12,500 - Financing: Current Funds [02-2221; APPROVED]
40. Authorize settlement of a lawsuit, styled Jasmine Holt, Individually and as Next Friend of Cinnamon Williams and Jawill Holt, Minors v. Richard Rossman and City of Dallas, Cause No. cc-01-08002-a - \$260,000 - Financing: Current Funds [02-2222; APPROVED]
41. Authorize settlement of a lawsuit, styled Judith Farmer v. City of Dallas and Essaw Griffin, Cause No. cc-01-06965-d - \$7,500 - Financing: Current Funds [02-2223; APPROVED]
42. Authorize settlement of a lawsuit, styled Gloria Rittenhouse v. Emmitt Brown, Individually and d/b/a E&M Remodeling and City of Dallas; Cause No. 00-08149-D - Financing: No cost consideration to the City [02-2224; APPROVED]
43. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Ted B. Lyon & Associates, P.C., for additional legal services and related expenses necessary in the lawsuit, styled City of Dallas v. Explorer Pipeline Company, Inc., Atofina Petrochemicals, Inc. fka Fina Oil & Chemical Company, Exxon Mobile Corporation, Inc., Diamond Shamrock Refining & Marketing Company, Inc., Conoco, Inc., Phillips Petroleum Company, Inc., Chevron USA, Inc., Motiva Enterprises, LLC, Equilon Enterprises, LLC, The Premcor Refining Group, Inc., fka Clark Refining & Marketing, Inc., Citgo Petroleum Corporation, Mobil Corporation, Inc., BP Amoco Company fka Amoco Corporation and Does 1 through 100; Cause No. DV00-09678-H, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$300,000, from \$200,000 to \$500,000 - Financing: Current Funds [02-2225; APPROVED]

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

44. Authorize Supplemental Agreement No. 1 to the professional services contract with Ruhter & Reynolds, Inc., Consulting Economists, for additional services and related expenses necessary in the lawsuit, styled City of Dallas, Texas v. Redbird Development Corporation and First Redbird Development Corporation and Dwaine R. Caraway, Vernon H. Jordan and DFW Contractors, Cause No. DV99-08817-K, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$16,000, from \$15,000 to \$31,000 - Financing: Current Funds **[02-2226; APPROVED]**
45. Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, for additional legal services and related expenses necessary in the lawsuit styled Donato Garcia and Antonia Garcia a/n/f of Jasmine Garcia and Alex Garcia, Minors v. City of Dallas, et al., Civil Action No. 3:02-CV-0116-P - Not to exceed \$25,000, from \$15,000 to \$40,000 - Financing: Current Funds **[02-2227; APPROVED AS AN INDIVIDUAL ITEM]**
46. Authorize application for and acceptance of Federal Aviation Administration Airport Improvement Program Grant Funds for the federal share of the eligible costs for capital improvement projects at Dallas Love Field - Not to exceed \$530,529 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds **[02-2228; APPROVED]**
47. Authorize a three-year Interlocal Agreement with Dallas County to provide Dallas County with two-way radio service, equipment, antenna space, microwave service and radio system airtime for the period October 1, 2002 through September 30, 2005 - Revenue: \$225,792 **[02-2229; APPROVED]**
48. Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Program (now known as Home Repair Program) for homeowner Bertha Mae Gross, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$27,500) **[02-2230; APPROVED]**
49. Authorize a replacement housing payment and disbursement of funds from the Substandard Housing Assistance Repair Program (now known as Home Repair Program) for homeowner Bessie Mae Bell, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$50,000 - Financing: Current Funds (\$22,500) and 2001-02 Community Development Grant Funds (\$27,500) **[02-2231; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

50. Authorize a ten-year contract with TranStar Energy Company L.P. with the option for two, five-year additional terms to maintain and operate two public access compressed natural gas fueling sites located on city property at Dawson Street between Baylor and Chestnut Street and in the 8000 block of Denton Drive adjacent to Love Field - Estimated Revenue: \$146,342 over the ten-year term **[02-2232; APPROVED]**
51. Authorize a three-year Interlocal Agreement with Dallas Area Rapid Transit for the purpose of providing motorcycle maintenance - Revenue: \$349,399 **[02-2233; APPROVED AS AN INDIVIDUAL ITEM]**
52. Authorize **(1)** a public hearing to be held on August 28, 2002 to receive citizens' comments on amendments to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan ("Plan") to modify the City Center TIF District Boundary to include the Hart Furniture Building located at 1929-1933 Elm Street and the Tower Petroleum Building located at 1907 Elm Street, modifications to the Plan and modifications of Ordinances 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311); and **(2)** at the close of the public hearing, consideration of an ordinance amending Ordinance Number 22802, previously approved on June 26, 1996, and Ordinance Number 23034, previously approved on February 12, 1997, which approved the Plan, to reflect all such Plan amendments; such actions will not affect the term of the City Center TIF District and will be revenue neutral as to Dallas Independent School District - Financing: No cost consideration to the City **[02-2234; APPROVED]**
53. Authorize a Covenant of Purpose, Use and Ownership with the Economic Development Administration that restricts the use, sale, transfer, or conveyance of a City owned 20,000 square foot building and land known as the International Environmental Training and Technology Center located at the Dallas Business Eco-Park for 20 years without the prior written approval of the Assistant Secretary, Economic Development Administration - Financing: No cost consideration to the City **[02-2235; APPROVED]**
54. Authorize the acceptance of a grant from the Texas Department of Health for the continuation of the City of Dallas= Immunization Initiative Program for the period September 1, 2002 through August 31, 2003 - Not to exceed \$254,524 - Financing: Texas Department of Health Grant Funds **[02-2236; APPROVED]**
55. Authorize the acceptance of grant funds from the Texas Commission on Alcohol and Drug Abuse for the provision of substance abuse prevention activities for youth and families citywide for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement - Not to exceed \$255,540 - Financing: Texas Commission on Alcohol and Drug Abuse Grant Funds **[02-2237; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

56. Authorize an amendment to the existing contract with the Texas Department of Health for the Diabetes Awareness and Prevention Program, to **(1)** increase the amount, **(2)** extend the term to March 31, 2003, and **(3)** execute the grant agreement - Not to exceed \$40,500, from \$54,000 to \$94,500 - Financing: Texas Department of Health Grant Funds **[02-2238; APPROVED]**
57. Authorize Contract Renewal No. 2 with Homeward Bound, Inc., for the provision of residential substance abuse treatment services for adults for the period October 1, 2002 through September 30, 2003 - Not to exceed \$90,057 - Financing: Current Funds **[02-2239; APPROVED]**
58. Authorize the reconstruction on site of seven homes in accordance with the Home Repair Program Statement requirements for the properties located at 5215 Colonial Avenue, 2519 Crest Avenue, 4320 Hamilton Avenue, 2423 Scotland Drive, 1227 Strickland Street, 4636 Silver Avenue, and 4915 Wellington Street - \$350,000 - Financing: 1999-00 HOME Funds **[02-2240; APPROVED AS AN INDIVIDUAL ITEM]**
59. Authorize a public hearing to be held on August 28, 2002 to receive citizens' comments in preparation of the FY 2002-03 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[02-2241; APPROVED]**
60. Authorize a thirty-year Interlocal Agreement, with two ten-year renewal options for the City of Rowlett, Texas to operate and manage a portion of Elgin B. Robertson Park at Lake Ray Hubbard - Financing: No cost consideration to the City **[02-2242; APPROVED]**
61. An ordinance authorizing a correction to Ordinance No. 23837 for a Parking Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, on Shelby Avenue southwest of Brown Street to correct the lot number (Z989-113/10732-C(SS)) - Financing: No cost consideration to the City **[02-2243; ORDINANCE 24993; APPROVED]**
62. An ordinance authorizing a correction to Ordinance No. 24040 for a Commercial Service District on the northwest side of S. Belt Line Road, southwest of Garden Grove Drive to correct the property description (Z978-249/10584-SE(LS)) - Financing: No cost consideration to the City **[02-2244; ORDINANCE 24994; APPROVED]**
63. An ordinance disannexing approximately six acres of land located adjacent to the Eastern Hills Country Club in Garland and Lake Ray Hubbard in Dallas that was annexed into Dallas in error by Ordinance No. 14886, dated April 28, 1975 - Financing: No cost consideration to the City **[02-2245; ORDINANCE 24995; APPROVED]**
64. Authorize an excused absence for one member of the City Plan Commission for July 11, 18, and 25, for a planned vacation in accordance with City Council policy and the provisions of Chapter 8 of the Dallas City Code - Financing: No cost consideration to the City **[02-2246; APPROVED]**

MISCELLANEOUS (Continued)

65. Authorize the acceptance of the Commercial Auto Theft Interdiction Squad/10 grant from the Texas Automobile Theft Prevention Authority in the amount of \$650,000, for the period September 1, 2002 through August 31, 2003, to provide a specialized proactive automobile theft program, a local match in an amount not to exceed \$44,289, and execution of the grant agreement - \$694,289 - Financing: Texas Automobile Theft Prevention Authority Grant Funds (\$650,000) and Current Funds (\$44,289) **[02-2247; APPROVED]**
66. Authorize a Conditional Loan Agreement with the United States Government, Department of the Navy, for the display of a Navy TH-57A helicopter located at the Jack Evans Police Headquarters Building Museum, for the period August 14, 2002 through August 13, 2007 - Financing: No cost consideration to the City **[02-2248; DELETED ON THE ADDENDUM]**
67. Authorize execution of a Promissory Note to the U.S. Department of Justice to pay the sum of \$1,066,717 with interest in four annual equal payments of \$289,894; payment schedule commencing October 31, 2002, for repayment of unexpended 1997 Omnibus Appropriations Local Law Enforcement Block Grant Funds - Total not to exceed \$1,159,576 - Financing: Contingency Reserve Funds (\$289,894), Current Funds (\$869,682) (subject to future appropriations) **[02-2249; DELETED ON THE ADDENDUM]**
68. Authorize an Interlocal Agreement with the City of Plano to provide law enforcement support for the operation of the School Liaison Program at Frankford Middle School, a Plano Independent School District Facility, located in the City of Dallas for the period August 14, 2002 through July 31, 2003 - Financing: No cost consideration to the City **[02-2250; APPROVED]**

2002 Omnibus Appropriations Local Law Enforcement Block Grant

69. * Authorize the City of Dallas to submit a consolidated application between the City of Dallas and Dallas County for the 2002 Omnibus Appropriations Local Law Enforcement Block Grant from the U. S. Department of Justice, Bureau of Justice Assistance, for crime prevention and improved public safety activities - City of Dallas' share: \$2,464,923, Dallas County's share: \$866,054 plus cash match of \$370,108 for a total of \$3,701,085 - Financing: No cost consideration to the City **[02-2251; APPROVED]**
70. * Authorize a public hearing to be held on September 25, 2002, to receive citizens' comments on the 2002 Omnibus Appropriations Local Law Enforcement Block Grant - Financing: No cost consideration to the City **[02-2252; APPROVED]**
71. Authorize the option to renew the five-year contract with the law firm of Linebarger, Goggan, Blair, Pena and Sampson, LLP for the collection of delinquent paving and code enforcement liens - Revenue: \$1,125,000 **[02-2253; APPROVED AS CORRECTED ON THE ADDENDUM]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [02-2254]

72. An application for and an ordinance granting an amendment to Specific Use Permit No. 814 for a Day Care Center on property zoned an MF-2(A) Multifamily District on Tenth Street and Bishop Avenue, northwest corner
Recommendation of CPC: Approval for a twenty-year period with eligibility for automatic renewal for additional twenty-year periods, subject to a site plan/landscape plan and conditions
Recommendation of Staff: Approval for a permanent time period, subject to a site plan/landscape plan and staff recommended conditions
Z012-195(JC) [02-2255; **ORDINANCE 24996; CPC RECOMMENDATION FOLLOWED**]
73. An application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District, on the southeast corner of Jim Miller Road and Red Bud Drive
Recommendation of Staff and CPC: Approval for a two-year period with automatic renewal for additional two-year periods, subject to a site/landscape plan and conditions
Z012-217(JC) [02-2256; **ORDINANCE 24997; CPC RECOMMENDATION FOLLOWED**]
74. An application for and an ordinance granting a R-7.5(A) Single Family District on property zoned Planned Development District No. 20 for Residential Uses, on Sarah Lee Lane, west of Jim Miller Road
Recommendation of Staff and CPC: Approval
Z012-218(JC) [02-2257; **ORDINANCE 24998; CPC RECOMMENDATION FOLLOWED**]
75. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District, on St. Augustine Road and Briarwood Road, northeast corner and Briarwood Road and Bloomfield Drive, southwest corner
Recommendation of Staff and CPC: Approval
Z012-219 (JC) [02-2258; **ORDINANCE 24999; CPC RECOMMENDATION FOLLOWED**]
76. An application for and an ordinance granting a Specific Use Permit for a Utility or Government Installation other than listed on property zoned a CA-1(A) Central Area District on Commerce Street and Houston Street, southeast corner
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions
Z012-220(JC) [02-2259; **ORDINANCE 25000; CPC RECOMMENDATION FOLLOWED**]
77. An application for and an ordinance granting a Specific Use Permit for a private school on property zoned an R-7.5(A) Single Family District, on Boedeker Street and Centenary Avenue, east side
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan/landscape plan and conditions
Z012-227(JC) [02-2260; **ORDINANCE 25001; APPROVED AS AMENDED**]

CITY CODE AMENDMENT - INDIVIDUAL

78. An amendment to the Dallas City Code to consider amending Section 41A-14 of the Dallas City Code that would require a quorum of the Permit and License Appeal Board to hear requests for exemptions from the locational restrictions for sexually oriented businesses
Recommendation of Staff and CPC: Approval
DCA012-009 [02-2261; HEARING CLOSED]
79. An ordinance amending Chapters 2, 14, and 41A of the Dallas City Code to provide for the full City Council to appoint the vice-chair of the permit and license appeal board; eliminate hearing panels of the permit and license appeal board and require a quorum of the board to hear appeals and exemption requests; authorize the city and any aggrieved person to appeal decisions of the permit and license appeal board to state district court; authorize the permit and license appeal board to grant two-year exemptions from locational restrictions for dance halls operating under a late-hours permit if certain conditions are met; and provide for the issuance of annual late-hours permits for dance halls granted two-year exemptions - Financing: No cost consideration to the City **[02-2261; ORDINANCE 25002; HEARING CLOSED; APPROVED]**

BENEFIT ASSESSMENT HEARINGS

80. A benefit assessment hearing to receive citizens' comments for sidewalk paving for Sidewalk Group 98-113 (list attached), and at the close of the hearing, authorize a contract for the construction with B.T. Construction, Inc., lowest responsible bidder of nine - \$237,276 - Financing: Capital Assessment Funds (\$221,276), Water Utilities Capital Construction Funds (\$13,500), Water Utilities Bond Funds (\$2,500) **[02-2262; HEARING CLOSED; APPROVED]**
81. A benefit assessment hearing to receive citizens' comments on sidewalk paving for Sidewalk Group 98-122 (list attached), and at the close of the hearing, authorize a contract for the construction with Rustown Homes, Inc., lowest responsible bidder of eight - \$108,876 - Financing: Capital Assessment Funds (\$95,751), Water Utilities Capital Construction Funds (\$13,125) **[02-2263; HEARING CLOSED; APPROVED AS AMENDED]**
82. A benefit assessment hearing for street paving, drainage, water and wastewater main improvements for Street Group 98-432 (list attached), and at the close of the hearing, authorize a contract for the construction with Texas Sterling Construction, LP, lowest responsible bidder of eight - \$1,095,035 - Financing: 1998 Bond Funds (\$861,229), Water Utilities Capital Improvement Funds (\$203,856), Water Utilities Capital Construction Funds (\$29,950) **[02-2264; DEFERRED UNTIL 08/28/02 WITH HEARING OPEN]**

ITEMS FOR INDIVIDUAL CONSIDERATION

83. 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) **[02-2265; APPOINTMENTS MADE TO THE BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

84. Approval of the 2002-2003 Dallas-Fort Worth International Airport Board annual budget - Financing: No cost consideration to the City **[02-2266; APPROVED]**
85. Adoption of the 34th Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas-Fort Worth International Airport Joint Revenue Improvement and Refunding Bonds, Series 2002A if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City **[02-2267; ORDINANCE 25003; APPROVED]**
86. Adoption of the 35th Supplemental Concurrent Bond Ordinances authorizing the issuance of Dallas-Fort Worth International Airport Joint Revenue Auction Rate Bonds, Series 2002B, if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City **[02-2268; ORDINANCE 25004; APPROVED]**
87. Adoption of the 36th Supplemental Concurrent Bond Ordinances authorizing the issuance of Dallas-Fort Worth International Airport Joint Revenue Auction Rate Bonds, Series 2002C, if specified parameters are met; and ordaining other matters incident and related thereto - Financing: No cost consideration to the City **[02-2269; ORDINANCE 25005; APPROVED]**
88. Approval of the Resolution authorizing the Dallas-Fort Worth International Airport Facility Improvement Corporation to proceed with the issuance of bonds to refund the outstanding Dallas-Fort Worth International Airport Facility Improvement Corporation United Parcel Services, Inc. Revenue Bonds, Series 1992 - Financing: No cost consideration to the City **[02-2270; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

89. 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 **[02-2271; DEFERRED UNTIL 09/25/02]**
90. Authorize an amendment to the Program Statement for the Home Repair Program to: **(1)** effective June 26, 2002, (a) provide that Program loans of \$20,000 or less, excluding lead-based paint compliance costs, are not required to bring the entire structure to Code and (b) increase the maximum Program loan amount from \$27,500 to \$32,500 for on-site reconstruction in connection with an Urban Rehabilitation Standards Board order to vacate and demolish; **(2)** until September 30, 2002, increase the Program loan amount for voluntary on-site reconstruction from \$50,000 to \$55,000; and **(3)** effective October 1, 2002, (a) eliminate voluntary on-site reconstruction as a Program loan option and (b) combine major and minor repair loans into one Program loan for basic system repairs with a new loan maximum amount of \$20,000, exclusive of a grant for lead-based paint compliance costs - Financing: No cost consideration to the City **[02-2272; APPROVED AS CORRECTED ON THE ADDENDUM]**

Closed Session [02-2273; NO CLOSED SESSION HELD]

6ES

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

- Legal issues regarding bids on the 108-inch Water Transmission Line from Lake Fork to Lake Tawakoni, Section Two

ADDENDUM

ADDITIONS:

Closed Session [02-2273; NO CLOSED SESSION HELD]

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

- Legal issues involving Storm Water Enforcement
- Boulder Ridge Apartments, Ltd. v. City of Dallas,
Cause No. DV99-00913C

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Authorize Supplemental Agreement No. 5 to the professional services contract with the law firm of Strasburger & Price, L.L.P., for additional legal services necessary in the lawsuit styled City of Dallas v. Transcontinental Realty Investors, Inc., et al, Cause No. cc-99-03125-e, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000, from \$650,000 to \$750,000 - Financing: Funds provided by Hillwood Development Corporation [02-2274; APPROVED]
2. Authorize settlement of a lawsuit, styled Charles Miller, et al., v. City of Dallas, Cause No. 3:98-CV-2955-D - \$535,000 - Financing: Current Funds [02-2275; APPROVED]
3. An ordinance abandoning a portion of a sanitary sewer easement to E. Terrell Hodges, Jr., the abutting owner, containing approximately 998 square feet of land located near the intersection of Shorecrest Drive and Midway Road, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee [02-2276; ORDINANCE 25006; APPROVED]
4. Authorize an eighty-four-month service contract with three twelve-month renewal options for food and beverage management services at the Dallas Convention Center with an estimated annual revenue of \$8,500,000, for the period of October 1, 2002 through September 30, 2009, best value bid of two - Service America Corporation dba Volume Services America - Management Fee not to exceed \$275,000 annually - Financing: Convention and Event Services Current Funds [02-2277; APPROVED]
5. Authorize the rejection of bids received for the 108-inch water transmission line from the Lake Fork Pump Station to near Lake Tawakoni, section two, and the re-advertisement for new bids - Financing: No cost consideration to the City [02-2278; APPROVED]

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

6. Authorize Supplemental Agreement No. 1 to the collection services contract with Linebarger, Goggan, Blair, Pena and Sampson, LLP for payment of delinquent fines for outstanding traffic, city ordinance and state law violations to amend the compensation on provisions of the contract - Financing: No cost consideration to the City [02-2279; APPROVED]
7. An ordinance appointing Phyllis Lister and Rey Chavez as full-time municipal judges for the City of Dallas municipal court of record for a term ending May 31, 2004 - Financing: No cost consideration to the City (All expenses to be fully reimbursed by Dallas County) [02-2280; ORDINANCE 25007; APPROVED]
8. Authorize the creation of four municipal judge positions for the purpose of staffing Truancy Courts established under Chapter 13, Section 4, of the Dallas City Code - Financing: No cost consideration to the City (All expenses to be fully reimbursed by Dallas County) [02-2281; APPROVED]

CORRECTIONS:

71. Authorize the option to renew the five-year contract with the law firm of Linebarger, Goggan, Blair, Pena and Sampson, LLP for the collection of delinquent paving and code enforcement liens - Revenue: ~~\$1,125,000~~ Estimated Net Revenue: \$956,250 [02-2253]
90. Authorize an amendment to the Program Statement for the Home Repair Program to: **(1)** effective June 26, 2002, (a) provide that Program loans of ~~\$20,000~~ \$25,000 or less, excluding lead-based paint compliance costs, are not required to bring the entire structure to Code and (b) increase the maximum Program loan amount from \$27,500 to \$32,500 for on-site reconstruction in connection with an Urban Rehabilitation Standards Board order to vacate and demolish; **(2)** until September 30, 2002, increase the Program loan amount for voluntary on-site reconstruction from \$50,000 to \$55,000; and **(3)** effective October 1, 2002, (a) eliminate voluntary on-site reconstruction as a Program loan option and (b) combine major and minor repair loans into one Program loan for basic system repairs with a new loan maximum amount of ~~\$20,000~~ \$25,000, exclusive of a grant for lead-based paint compliance costs - Financing: No cost consideration to the City [02-2272]

ADDENDUM

DELETIONS:

66. Authorize a Conditional Loan Agreement with the United States Government, Department of the Navy, for the display of a Navy TH-57A helicopter located at the Jack Evans Police Headquarters Building Museum, for the period August 14, 2002 through August 13, 2007 - Financing: No cost consideration to the City [02-2248]

67. Authorize execution of a Promissory Note to the U.S. Department of Justice to pay the sum of \$1,066,717 with interest in four annual equal payments of \$289,894; payment schedule commencing October 31, 2002, for repayment of unexpended 1997 Omnibus Appropriations Local Law Enforcement Block Grant Funds - Total not to exceed \$1,159,576 - Financing: Contingency Reserve Funds (\$289,894), Current Funds (\$869,682) (subject to future appropriations) [02-2249]