

**AGENDA**  
**CITY COUNCIL MEETING**  
**OCTOBER 23, 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) [02-3000]

Agenda Item/Open Microphone Speakers [02-3001]

VOTING AGENDA

1. Approval of Minutes of the October 9, 2002 City Council Meeting [02-3002; **APPROVED AS CORRECTED**]

CONSENT AGENDA [02-3003]

**AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS**

Engineering and Architectural Contracts

2. Authorize a contract with Earline M. Green to collaborate with the architect to design, fabricate and install an artwork for the new Lancaster/Kiest Library - Not to exceed \$65,000 - Financing: 1998 Bond Funds [02-3004; **APPROVED AS AN INDIVIDUAL ITEM**]

## CONSENT AGENDA (Continued)

### AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

#### Engineering and Architectural Contracts (Continued)

3. Authorize a contract with Charlotte Lindsey to collaborate with the architect to design, fabricate and install an artwork for the new terminal at Dallas Executive Airport - Not to exceed \$54,500 - Financing: Aviation Capital Construction Funds [02-3005; APPROVED]
4. Authorize a professional services contract with MESA Design Group for the design and preparation of construction documents for the Great Trinity Forest - Moore Park Gateway, which includes a canoe launch, trail, entry pavilion and associated parking - \$236,805 - Financing: 1998 Bond Funds [02-3006; APPROVED]

#### Authorization of Contracts

5. Authorize a contract for limestone repairs at Science Place I and Science Place II at Fair Park - Brazos Restoration & Waterproofing, Inc., lowest responsible bidder of nine - \$278,652 - Financing: General Capital Reserve Funds [02-3007; APPROVED]

#### Contract Amendments

6. Authorize **(1)** Supplemental Agreement No. 6 to the contract with Hunt Construction Group, Inc. to increase the Guaranteed Maximum Price for the Love Field Parking Garage Expansion in an amount not to exceed \$879,053, from \$54,025,426 to \$54,904,479, and **(2)** an increase in the contract with Thos. S. Byrne, Inc. for the replacement and additional overhead, cantilevered, and double post roadway signage along Cedar Springs roadway - \$879,053, from \$40,212,599 to \$41,091,652, within the Guaranteed Maximum Price - Total not to exceed \$879,053 - Financing: Aviation Capital Construction Funds [02-3008; APPROVED AS AN INDIVIDUAL ITEM]
7. Authorize an increase in the contract with Manhattan Construction Company for construction changes related to civil, structural, electrical, mechanical, plumbing, fire protection, slurry wall, and architectural work for the Dallas Convention Center Expansion & Renovation 2002 project - \$516,029, from \$96,295,172 to \$96,811,201, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City [02-3009; APPROVED AS AN INDIVIDUAL ITEM]

#### Construction Miscellaneous

8. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Mexicana Drive from Canada Drive to dead-end - Financing: This action has no cost consideration to the City [02-3010; ORDINANCE 25062; APPROVED]
9. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Centennial Boulevard/Miami Drive from Buttercup Lane to Elam Road - Financing: This action has no cost consideration to the City [02-3011; ORDINANCE 25063; APPROVED]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

10. An ordinance levying benefit assessments for sidewalk paving improvements on Preston Road from LBJ Freeway to Forest Lane (east side only) - Financing: This action has no cost consideration to the City [02-3012; ORDINANCE 25064; APPROVED]
11. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Barnes Bridge Road from Garland Road to Shiloh Road - Financing: This action has no cost consideration to the City [02-3013; ORDINANCE 25065; APPROVED]
12. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements on Cheyenne Road from Lake June Road to Checota Drive - Financing: This action has no cost consideration to the City [02-3014; ORDINANCE 25066; APPROVED]
13. An ordinance levying benefit assessments for alley paving, storm drainage, water and wastewater main improvements for Alley Group 98-1117 (list attached) - Financing: This action has no cost consideration to the City [02-3015; ORDINANCE 25067; APPROVED]
14. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-114 (list attached) - Financing: This action has no cost consideration to the City [02-3016; ORDINANCE 25068; APPROVED]
15. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-121 (list attached) - Financing: This action has no cost consideration to the City [02-3017; ORDINANCE 25069; APPROVED]
16. An ordinance levying benefit assessments for street paving improvements on Bainbridge Avenue from Meadow Stone Lane to 700 feet south - Financing: This action has no cost consideration to the City [02-3018; ORDINANCE 25070; APPROVED]
17. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-431 (list attached) - Financing: This action has no cost consideration to the City [02-3019; ORDINANCE 25071; APPROVED]
18. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-433 (list attached) - Financing: This action has no cost consideration to the City [02-3020; ORDINANCE 25072; APPROVED]
19. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-434 (list attached) - Financing: This action has no cost consideration to the City [02-3021; ORDINANCE 25073; APPROVED]
20. An ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for Street Group 98-432 (list attached) - Financing: This action has no cost consideration to the City [02-3022; ORDINANCE 25074; APPROVED]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

21. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-113 (list attached) - Financing: This action has no cost consideration to the City [02-3023; ORDINANCE 25075; APPROVED]
22. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-115 (list attached) - Financing: This action has no cost consideration to the City [02-3024; ORDINANCE 25076; APPROVED]
23. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-117 (list attached) - Financing: This action has no cost consideration to the City [02-3025; ORDINANCE 25077; APPROVED]
24. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-119 (list attached) - Financing: This action has no cost consideration to the City [02-3026; ORDINANCE 25078; APPROVED]
25. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-120 (list attached) - Financing: This action has no cost consideration to the City [02-3027; ORDINANCE 25079; APPROVED]
26. An ordinance levying benefit assessments for sidewalk paving improvements for Sidewalk Group 98-122 (list attached) - Financing: This action has no cost consideration to the City [02-3028; ORDINANCE 25080; APPROVED]
27. An ordinance levying benefit assessments for sidewalk paving improvements on Forest Lane from LBJ Freeway to Audelia Road - Financing: This action has no cost consideration to the City [02-3029; ORDINANCE 25081; APPROVED]
28. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements on Highland Road from Ferguson Road to Jim Miller 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 December 11, 2002, to receive citizens' comments - Financing: No cost consideration to the City [02-3030; APPROVED]
29. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 98-436 (list attached); 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 December 11, 2002, to receive citizens' comments - Financing: No cost consideration to the City [02-3031; APPROVED]

## CONSENT AGENDA (Continued)

### LAND MISCELLANEOUS

30. Authorize a third amendment to the lease with Jet Aviation Texas, Inc. to add approximately 67,435 square feet of improved land at Dallas Love Field - Estimated Annual Revenue: \$17,533 [02-3032; **APPROVED AS AN INDIVIDUAL ITEM**]
31. Authorize a twenty-nine-month sublease agreement with Agape Clinics of Texas, Inc. for approximately 1,488 square feet of office and clinic space located at 1459 Acton Avenue in the City of Duncanville to be used as a Women, Infants and Children clinic for the period November 1, 2002 through March 31, 2005 - \$1,798 per month for a total of \$21,576 annually - Financing: Texas Department of Health Grant Funds (subject to annual appropriations) [02-3033; **APPROVED**]

### PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

32. Authorize a thirty-six-month service contract for removal of excavated materials with the lowest responsible bidder of three - Herdez Trucking, Inc. - Not to exceed \$993,153 - Financing: Water Utilities Current Funds [02-3034; **APPROVED AS AN INDIVIDUAL ITEM**]
33. Authorize a thirty-six-month service contract for communicable disease exposure testing services with the lowest responsible bidder of three - Princeton Biomedical Laboratories - Not to exceed \$61,025 - Financing: Current Funds [02-3035; **APPROVED**]
34. Authorize a thirty-six-month price agreement for dress and station wear uniforms with the lowest responsible bidders of eight - GST Public Safety, L.L.C., Direct Action Uniforms and C & G Wholesale dba C & G Police Supply - Not to exceed \$3,020,406 - Financing: Current Funds (subject to annual appropriations) [02-3036; **APPROVED AS AN INDIVIDUAL ITEM**]
35. Authorize a twenty-four-month price agreement for dome treated posts with the lowest responsible bidder of four - GSI Highway Products - Not to exceed \$113,830 - Financing: Current Funds [02-3037; **APPROVED AS AN INDIVIDUAL ITEM**]
36. Authorize the purchase of fifty-seven ballistic vests to be used by the Tactical and Narcotics divisions of the Police Department from the lowest responsible bidders of five - U.S. Armor Corporation and Brian Ginsburg Investments dba New York Clothiers - Not to exceed \$105,068 - Financing: Current Funds (\$74,880), Confiscated Money Funds (\$30,188) [02-3038; **APPROVED**]
37. Authorize the purchase and installation of 81 tarpaulin systems for brush collection trailers with the lowest responsible bidder of three - Robertson Fleet Service - Not to exceed \$121,946 - Financing: Current Funds [02-3039; **APPROVED**]

### RATIFICATION OF EMERGENCY PURCHASE

38. Ratify an emergency purchase of two fifteen-passenger vans for the Police Department Tactical division for homeland security from Classic Chevrolet - \$40,706 - Financing: 2000 Local Law Enforcement Block Grant Funds [02-3040; **APPROVED**]

## CONSENT AGENDA (Continued)

### MISCELLANEOUS

39. Authorize a second amendment to the contract with Deloitte & Touche LLP, in association with Lawson Associates Inc., Kronos Incorporated and Business Software Inc., to provide for the annual hosting and maintenance fees for the Human Resources Information System in the amount of \$1,076,744, from \$6,889,650 to \$7,966,394 - Financing: Current Funds [02-3041; DELETED]
40. Authorize amendments to the City Plan Commission's Rules of Procedure relating to revised rules and membership requirements for the Zoning Ordinance Advisory Committee, the Urban Design Advisory Committee and to match current language of the Dallas Development Code, City Charter, City Code and State law - Financing: No cost consideration to the City [02-3042; POSTPONED UNTIL 11/13/02]
41. Authorize **(1)** a public hearing to be held on November 13, 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 four buildings located at 1530 Main Street, 1609 Main Street, 1506 Commerce Street and 1512 Commerce Street in the Main Street Retail Initiative Area of the City Center TIF District, modifications to the Plan and modifications to Ordinance Nos. 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 No. 22802, previously approved on June 26, 1996, and Ordinance No. 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 [02-3043; APPROVED]
42. Authorize an Interlocal Agreement with Dallas County setting the terms of Dallas County's participation in the amended Project Plan and Reinvestment Zone Financing Plan previously approved on May 22, 2002 by Ordinance No. 24944, as amended, for Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) - Financing: No cost consideration to the City [02-3044; APPROVED]
43. Authorize a secured, no-interest forgivable loan agreement with Rebuilding Our Community, Inc. for the acquisition and renovation of a facility located at 3224 South Westmoreland for the period November 1, 2002 through October 31, 2003 (Agencies that acquire and renovate properties with Community Development Grant Funds are required to provide a public service to eligible persons for a minimum of five years) - Not to exceed \$150,000 - Financing: 2000-01 Community Development Grant Reprogramming Funds [02-3045; APPROVED]

## CONSENT AGENDA (Continued)

### MISCELLANEOUS (Continued)

44. Authorize the acceptance of additional funds from Texas Department of Health to increase funding for the enhancement of the City of Dallas Childhood Lead Poisoning Prevention Program for the period July 1, 2002 through June 30, 2003 and execution of the grant agreement - Not to exceed \$4,000, from \$60,000 to \$64,000 - Financing: Texas Department of Health Grant Funds [02-3046; APPROVED]
45. Authorize an amendment to the Program Statement for the Basic Home Repair Program approved by City Council on August 14, 2002 that: **(1)** if the borrower doesn't remain in the property 15 years, provides for repayment of Basic Home Repair loans based on the original loan amount or the increase in property value of the home as of date of change in ownership or occupancy of the property, whichever is less; **(2)** provides for expiration of the City's lien for the loan amount fifteen years after the completion of the repair project if the borrower remains in the property 15 years; **(3)** clarifies that approved repair applications received prior to October 1, 2002 may qualify for replacement housing assistance upon approval of the City Council; and **(4)** deletes program provisions that have expired per previous City Council resolutions - Financing: No cost consideration to the City [02-3047; APPROVED]
46. Authorize a maintenance agreement with American Management Systems, Inc. for the support and maintenance of the City's automated financial system - Not to exceed \$151,522 - Financing: Current Funds [02-3048; APPROVED]
47. Authorize payment of the remaining balance to the North Central Texas Regional Certification Agency for annual membership dues for the period of January 1, 2002 through December 31, 2002 and renewal for the period January 1, 2003 through December 31, 2003 - Not to exceed \$42,850 - Financing: Current Funds [02-3049; APPROVED]
48. Authorize a three-year contract with two one-year renewal options with Youth Services Council to provide after-school programs at Skyview Elementary School, Forest Lane Academy and Northlake Elementary School - \$57,294 - Financing: Current Funds [02-3050; APPROVED AS AN INDIVIDUAL ITEM]
49. Authorize an amendment to the lease agreement with Dorbet, Inc., an Hawaii corporation, Dorbet, Inc., a Texas corporation and Leis >Ohana Hui Family Partnership, Ltd., a Texas limited partnership for a six-month renewal for approximately 12,200 square feet of office space located at 100 N. Central Expressway, to be used as a field operation office for the Police Department S.A.F.E. II Unit for the period December 1, 2002 through May 31, 2003 - \$73,200 - Financing: 2002-03 Community Development Grant Funds [02-3051; APPROVED]
50. Authorize the acceptance of the Big Wheels/2 grant from the Office of the Governor, Criminal Justice Division to combat crime in and around truck stops, for the period September 1, 2002 through August 31, 2003 and execution of the grant agreement - \$74,419 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds [02-3052; APPROVED]

## CONSENT AGENDA (Continued)

### MISCELLANEOUS (Continued)

51. Authorize the acceptance of the East Dallas Community Enhancement Program/3 grant from the Office of the Governor, Criminal Justice Division in the amount of \$33,441 to support the East Dallas Storefront, for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$21,874 and execution of the grant agreement - \$55,315 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$33,441) and Current Funds (\$21,874) [02-3053; APPROVED]
52. Authorize the acceptance of the Public School Child Abuse Response Team/4 grant from the Office of the Governor, Criminal Justice Division to coordinate with the Dallas Independent School District to investigate child abuse complaints, for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$112,520 and execution of the grant agreement - \$160,956 - Financing: Current Funds (\$112,520), and Office of the Governor, Criminal Justice Division State Grant Funds (\$48,436) [02-3054; APPROVED AS AN INDIVIDUAL ITEM]
53. Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the Dallas Independent School District effective October 1, 1999 through September 30, 2004, to provide Dallas Police school liaison services - Revenue: \$887,500 [02-3055; APPROVED AS AN INDIVIDUAL ITEM]
54. Authorize renewal of the Interlocal Agreement with Dallas County, acting through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis and other similar medical/forensic analytical services, provided to the Dallas Police Department and the Dallas Fire Department, for the period of October 1, 2002 through October 31, 2003 - \$2,200,000 - Financing: Current Funds [02-3056; APPROVED]
55. Authorize submission of the list of candidate transportation projects to Collin County for the 2003 Collin County Bond Program, and authorize acceptance and implementation of the projects selected by the Collin County Commissioners Court (list attached) - City's match will not exceed \$3,500,000 and can be provided by a future bond program, other city funds, or private funding sources - Financing: This action has no cost consideration to the City [02-3057; APPROVED]

## PUBLIC HEARINGS AND RELATED ACTIONS

### ZONING CASES - CONSENT [02-3058]

56. An application for and an ordinance granting an NS Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on Ireland Street west of Tolbert Street  
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant  
Z012-225 (JC) [02-3059; POSTPONED UNTIL 11/13/02; HEARING OPEN]



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

57. An application for and an ordinance granting an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution accepting new deed restrictions and terminating the existing deed restrictions on property zoned an O-1 Office Subdistrict on the west corner of Cedar Springs Road and Raleigh Street  
Recommendation of Staff: Approval of an MF-2 Multiple Family Subdistrict, and denial of the termination of existing deed restrictions  
Recommendation of CPC: Approval of an MF-2 Multiple Family Subdistrict, approval of the termination of existing deed restrictions, and approval of new deed restrictions volunteered by the applicant  
Z012-239 (RB) [02-3060; ORDINANCE 25082; CPC RECOMMENDATION FOLLOWED]
58. An application for and an ordinance granting an amendment to the development plan and conditions for the Office 3 and Retail 3 portions of Planned Development District No. 222 for SC Shopping Center District Uses on the northwest corner of Preston Road and Frankford Road  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z012-240 (RB) [02-3061; ORDINANCE 25083; CPC RECOMMENDATION FOLLOWED]
59. An application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment to be used as a bar, lounge or tavern, and a Commercial amusement (Inside) use to be used as a Class A Dance hall, on property zoned a Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Malcolm X Boulevard and Southland Street  
Recommendation of Staff: Approval, for a five-year period, subject to a site plan and conditions  
Recommendation of CPC: Approval, for a ten-year time period subject to a site plan and conditions  
Z012-245 (FD) [02-3062; ORDINANCE 25084; CPC RECOMMENDATION FOLLOWED]
60. An application for and an ordinance granting a Specific Use Permit for a Mini-warehouse use on property zoned a CR Community Retail District north of Illinois Avenue and east of Cockrell Hill Road  
Recommendation of Staff and CPC: Approval, for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions  
Z012-246 (RB) [02-3063; ORDINANCE 25085; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

61. An application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an RR-D-1 Regional Retail District with a Dry Overlay, on the south side of Antoinette Street, west of US Highway 175  
Recommendation of Staff: Approval, for a two-year time period, with eligibility for automatic renewal for additional two-year time periods, subject to a site plan and conditions  
Recommendation of CPC: Approval, for a one-year time period with eligibility for automatic renewal for additional two year time periods, subject to the site plan and conditions  
Z012-260 (WE) [02-3064; ORDINANCE 25086; CPC RECOMMENDATION FOLLOWED]
62. An application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an RR Regional Retail District, south of Duncanville - Wheatland Road and east of Westmoreland Drive  
Recommendation of Staff and CPC: Approval  
Z012-267 (WE) [02-3065; ORDINANCE 25087; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

63. An application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District on the northwest corner of Lancaster Road and Camp Wisdom Road  
Recommendation of Staff: Approval, subject to a conceptual plan and conditions  
Recommendation of CPC: Denial  
Z012-242 (PC) [02-3066; ORDINANCE 25088; CPC RECOMMENDATION FOLLOWED]
64. An application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District on Lancaster Road, northwest of Wheatland Road, and Wheatland Road, southwest of Lancaster Road  
Recommendation of Staff: Approval, subject to a conceptual plan and conditions  
Recommendation of CPC: Denial  
Z012-244 (PC) [02-3067;POSTPONED UNTIL 11/13/02; HEARING OPEN]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

65. An application for a Specific Use Permit for a Private School use on property zoned an R-7.5(A) Single Family District and an ordinance granting the extension of the time period for Specific Use Permit No. 1355 for a Private School to July 1, 2006, on the northwest corner of the intersection of Arapaho Road and Meadowcreek Drive  
Recommendation of Staff: Denial of a new Specific Use Permit for a private school and approval of an additional two year time period for Specific Use Permit No. 1355, extending the expiration date until March 25, 2005  
Recommendation of CPC: Denial of a new Specific Use Permit for a private school and approval of an additional three year time period for Specific Use Permit No. 1355, extending the expiration date until July 1, 2006  
Z012-266 (MF) [02-3068; ORDINANCE 25089; CPC RECOMMENDATION FOLLOWED]
66. An application for and an ordinance granting an amendment to Planned Development District No. 363 for residential, office and retail uses on property located on Grand Avenue, southwest of Jeffries Street, northwest side  
Recommendation of Staff and CPC: Approval, subject to revised conditions  
Z012-273 (MF) [02-3069; ORDINANCE 25090; CPC RECOMMENDATION FOLLOWED]

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL

67. An application for and an ordinance granting a Specific Use Permit for a child-care facility on property zoned a TH-2(A) Townhouse District and an R-7.5(A) Single Family District on Polk Street, north of Kirnwood Drive  
Recommendation of Staff: Approval for a five-year time period with eligibility for automatic renewal for additional five-year time periods, subject to a site/landscape plan and conditions  
Recommendation of CPC: Approval of a Specific Use Permit for a child-care facility on the existing site for a five-year time period subject to a site plan and conditions, and denial of the SUP for the expanded facility and access across a residential lot line  
Z012-213 (JC) [02-3070; ORDINANCE 25091; CPC RECOMMENDATION FOLLOWED]  
Note: This item was considered by the City Council at a public hearing on September 25, 2002, and was taken under advisement until October 23, 2002, with the public hearing open.
68. An application for a P Parking Subdistrict on property zoned an O-1 Office-1 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west side of Buena Vista Street south of Fitzhugh Avenue  
Recommendation of Staff: Approval, subject to a site plan  
Recommendation of CPC: Denial  
Z012-193 (MF) [02-3071;POSTPONED UNTIL 12/11/02; HEARING OPEN]  
Note: This item was considered by the City Council at a public hearing on September 25, 2002, and was taken under advisement until October 23, 2002, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES UNDER ADVISEMENT - INDIVIDUAL (Continued)

69. An amendment to Chapters 41A and 51A of the Dallas City Code to revise regulations for establishing compliance dates for nonconforming uses and an ordinance implementing the amendments  
Recommendation of Staff and CPC: Approval  
DCA 012-007 [02-3072; ORDINANCE 25092; APPROVED AS AMENDED]  
Note: This item was considered by the City Council at a public hearing on October 9, 2002, and was taken under advisement until October 23, 2002, with the public hearing open.

ITEMS FOR INDIVIDUAL CONSIDERATION

70. 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) [02-3073; APPOINTMENTS MADE TO BOARDS/]
71. Authorize the City of Dallas Housing Finance Corporation to amend its Multifamily Program policy guidelines with respect to tax-exempt bond financing for multifamily housing projects will focus on multifamily housing projects involving: **(1)** rehabilitation or replacement; **(2)** new senior developments; **(3)** new construction in targeted distressed neighborhoods (as defined by the City Council from time to time); **(4)** Community Housing Development Organization initiated projects; and **(5)** new construction of affordable family housing outside of targeted areas where the developer receives tax-exempt bond financing under the State of Texas Private Activity Bond Cap and provides evidence of both neighborhood support for the project as well as on-going participation by the community in project planning and development oversight - Financing: No cost consideration to the City [02-3074; APPROVED]
72. Authorize payment of annual fees and continuation of arrangements for providing specialized municipal-related services to the City - Airports Council International (\$29,485), American Water Works Association Research Foundation (\$250,000), Association of Metropolitan Water Sewage Agencies (\$17,825), Dallas Regional Mobility Coalition (\$37,500), National League of Cities (\$27,350), North Central Texas Council of Governments (\$120,830), North Texas Commission (\$101,984), Public Technology, Inc. (\$33,000), Texas Coalition of Cities on Franchised Utility Issues (\$60,000), Texas Municipal League (\$44,550), Transportation Excellence for the 21st Century (\$25,000), United States Conference of Mayors (\$30,295) Water Environmental Research Foundation (\$80,000) - Total not to exceed \$857,819 - Financing: Aviation Current Funds (\$29,485), Current Funds (\$378,525), Public/Private Partnership Funds (\$101,984), and Water Utilities Current Funds (\$347,825) [02-3075; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

73. Authorize the modification of the Revolving Loan Fund Program loan made in 1991 to North Oak Cliff Community Development Corporation for the acquisition and rehabilitation of the twenty multi-family unit Jeffrey Square Apartments scattered sites located at 522 W. 9th Street, 701-703 W. 10th Street, 117 and 119 N. Van Buren Street to: **(1)** reduce the monthly payment from \$941 to \$500 starting July 1, 1999, **(2)** extend the term of the loan from November 1, 2021 to November 1, 2025 with an estimated balloon payment of \$94,706 due then, **(3)** require a \$19,000 principal reduction payment, **(4)** require funding of \$31,000 in operating and capital reserves, and **(5)** require borrower to pay outside legal fees - Financing: No cost consideration to the City [02-3076; DEFERRED INDEFINITELY]
74. Authorize a forty-year agreement with the Veterans Memorial Garden Committee for the construction, installation and maintenance of five war memorials at the Dallas Convention Center and the relocation of the Texas 36th Monument - Financing: No cost consideration to the City [02-3077; APPROVED]

## ADDENDUM

### ADDITIONS:

Closed Session [02-3078; CLOSED SESSION HELD]

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

- James B. Oglesby v. City of Dallas, Cause No. DV00-01001-E
- Deborah A. Branton v. City of Dallas, et al., Civil Action No. 3:CV-97-0245-P
- Deborah Branton v. City of Dallas and Chief of Police Bennie R. Click, individually and in his official capacity, Cause No. 97-10670-A
- City of Dallas v. John Baker, et al., Cause No. 99-02619-M
- City of Dallas v. 4701 Meadow, Inc., Cause No. 02-05087
- Bouathong Vongphachanh v. City of Dallas, Court of Appeals Fifth District of Texas at Dallas No. 05-02-00566-CV
- City of Heath v. City of Dallas, Cause No. 1-02-442

Personnel (Sec. 551.071 T.O.M.A.)

- Annual Performance Evaluation of the City Manager

### ITEMS FOR INDIVIDUAL CONSIDERATION

1. Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, P.C., for additional legal services and related expenses necessary in the lawsuit styled Deborah A. Branton v. City of Dallas, Civil Action No. 3:CV-97-0245-P, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000, from \$150,000 to \$250,000 - Financing: Current Funds [02-3079; APPROVED]
2. An ordinance abandoning a sanitary sewer easement to MBJH Corporation, the abutting owner, containing approximately 10,838 square feet of land located near the intersection of Troyglen Drive and Lazy River Drive, providing for the dedication of a new easement and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee [02-3080; ORDINANCE 25093; APPROVED]
3. Authorize an amendment to the real property tax abatement agreement with Jefferson at Kessler Heights, Phase I, L.P. and Jefferson at Kessler Heights, Phase 2, L.P., previously approved on April 14, 1999 by Resolution No. 99-1298, to extend the date for substantial completion from August 31, 2003 to December 31, 2003 - Financing: No cost consideration to the City [02-3081; APPROVED]

## ADDENDUM

### ADDITIONS: (Continued)

#### ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

4. Authorize a three-year sublease agreement with Texas joint venture, for approximately 7,975 square feet of office and warehouse space located in the 1900 block of Irving Boulevard to be used by the Sales and Auction section of the Office of Business Development and Procurement Services Department (formerly Office of Purchasing/Business Diversity Development), for conducting the City's surplus auctions and the operation of a retail storefront to sell marketable merchandise for the period November 1, 2002 through November 1, 2005 - \$3,157 per month, for a total of \$37,882 annually - Financing: Current Funds (subject to annual appropriations) [02-3082; APPROVED AS AMENDED]
5. Consideration of sanctions against David Spence, City Plan Commission member in connection with a violation of the City's Code of Ethics (Closed Session, if necessary, Personnel, Sec. 551.074 T.O.M.A.) - Financing: No cost consideration to the City [02-3083; DELETED]
6. Authorize the acceptance of a grant from the North Central Texas Council of Governments' Solid Waste Grant Funding Program for a Multi-Family Single-Stream Recycling Pilot Program from November 1, 2002 through August 31, 2003 - \$25,000 - Financing: North Central Texas Council of Governments Grant Funds [02-3084; APPROVED]
7. A resolution supporting legislation and Dallas Area Rapid Transit policy changes to allow expansion of Dallas Area Rapid Transit services to local jurisdictions through local option citizen elections pledging payments to the Dallas Area Rapid Transit system in an amount equivalent to a one-cent sales tax - Financing: No cost consideration to the City [02-3085; DELETED; FULL COUNCIL BRIEFING]
8. Authorize **(1)** an exception to the Land Transfer Program Statement and **(2)** a loan agreement with Parmer Villas Housing, L. P. to **(a)** reimburse up to \$1,100,000 for demolition, environmental remediation and related costs associated with a 408 unit apartment complex located at or near 4700 - 5000 Meadow Street and known as Meadow Grove Apartments or Emanuel Properties, and **(b)** release and/or dismiss all code enforcement actions and release non-tax and water liens water against the apartment complex in exchange for Parmer Villas Housing, L.P. providing a minimum of 230 units to a maximum of 285 units of affordable housing at this site for low income families - \$1,100,000 - Financing: Demolition Reserve Funds [02-3086; APPROVED]

## **ADDENDUM**

ADDITIONS: (Continued)

### ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

9. Authorize **(1)** two contracts for construction materials and services for the Nasher Sculpture Center in an amount not to exceed \$476,613, within the development agreement (list attached), and **(2)** assignment of the construction contracts to The Nasher Foundation for construction management in accordance with the development agreement previously authorized by the City Council on May 24, 2000 - Financing: No additional cost consideration to the City [02-3087; APPROVED]

### ITEMS FOR FURTHER CONSIDERATION

10. An ordinance abandoning a portion of a storm sewer easement to Centex Homes, the abutting owner, containing approximately 4,037 square feet of land located near the intersection of Buena Vista and North Haskell Avenues, and authorizing the quitclaim - Revenue: \$1,500 plus the \$20 ordinance publication fee [02-3088; POSTPONED UNTIL 12/11/02]