

AGENDA
CITY COUNCIL MEETING
NOVEMBER 13, 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) [02-3160]

Agenda Item/Open Microphone Speakers [02-3161]

VOTING AGENDA

1. Approval of Minutes of the October 23, 2002 City Council Meeting [02-3162;
APPROVED AS CORRECTED]

CONSENT AGENDA [02-3163]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize **(1)** a professional services contract with Carter & Burgess, Inc. to prepare a downtown parks master plan including site selection and conceptual planning for new urban parks, open spaces, plazas and other green spaces in downtown in the amount of \$365,000, **(2)** acceptance of donated funds from a private partnership in the amount of \$182,500, and **(3)** establish appropriations in the amount of \$182,500 in the Capital Gift and Donation Fund - Total not to exceed \$365,000 - Financing: 1998 Bond Funds (\$182,500) and Capital Gift and Donations Funds (\$182,500) [02-3164; DEFERRED UNTIL 12/11/02]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Camp Dresser & McKee, Inc. for the preparation and conduct of the conceptual feasibility analysis for water quality and lake configuration along the Dallas Floodway of the Trinity River - \$400,000 - Financing: 1998 Bond Funds **[02-3165; APPROVED AS AN INDIVIDUAL ITEM]**

Authorization of Contracts

4. Authorize a contract for replacement of the drinking fountains at Oak Cliff Municipal Center - Doric Building Corporation, lowest responsible bidder of eight - \$72,989 - Financing: 1985 Bond Funds **[02-3166; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize a contract for roof replacement and asbestos abatement at Fretz Park Recreation Center located at 6950 Belt Line Road - Rutherford Contractors, Inc., lowest responsible bidder of four - \$103,117 - Financing: General Capital Reserve Funds **[02-3167; APPROVED]**
6. Authorize a contract for the replacement of the deluge system and dry pipe sprinkler system at the Northwest Transfer Station located at 9500 Harry Hines Boulevard - Simplex Grinnell, LP, only bidder - \$128,865 - Financing: General Capital Reserve Funds **[02-3168; APPROVED]**
7. Authorize a contract for playground renovations at Crawford Memorial, Cummings, Glendale and Pike Parks - ICE Contractors, Inc., lowest responsible bidder of five - \$221,612 - Financing: 1998 Bond Funds (\$193,347) and Park Beautification Trust Funds (\$28,265) **[02-3169; APPROVED]**

Contract Amendments

8. Authorize Supplemental Agreement No. 1 to the contract with Pate Engineers, Inc. to extend the existing engineering design contract for Howell Street from Allen Street to Routh Street to include the design of paving, sidewalks and brick crosswalks on Howell Street from Routh Street to Fairmount Street - \$44,641, from \$59,428 to \$104,069 - Financing: 1998 Bond Funds (\$40,731), Water Utilities Bond Funds (\$3,910) **[02-3170; APPROVED]**
9. Authorize an increase in the contract with Manhattan Construction Company for construction changes related to structural, electrical, mechanical, plumbing, fire protection, and architectural work for the Dallas Convention Center Expansion & Renovation 2002 project - \$191,102, from \$96,811,201 to \$97,002,303, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[02-3171; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

10. Authorize an increase in the contract with Cajun Constructors, Inc. for Southcliff Pump Station and Pinnacle Park commercial development area - \$64,300, from \$7,627,226 to \$7,691,526 - Financing: Water Utilities Bond Funds **[02-3172; APPROVED]**
11. Authorize an increase in the contract with Cajun Constructors, Inc. for the work associated with the Southside Wastewater Treatment Plant solids screening and thickening facility - \$144,674, from \$15,400,762 to \$15,545,436 - Financing: Water Utilities Capital Construction Funds **[02-3173; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize Supplemental Agreement No. 1 to the professional services contract with Montgomery Watson Harza, Inc. to provide services for hydraulic improvements at the Central Wastewater Treatment Plant - \$167,350, from \$1,330,000 to \$1,497,350 - Financing: Water Utilities Capital Construction Funds **[02-3174; APPROVED]**

Construction Miscellaneous

13. Authorize **(1)** a Participation Agreement with Buckner Partnership, L.P. for the construction of a traffic signal at Buckner Boulevard and Fiesta Mart Driveway, **(2)** the receipt and deposit of funds from Buckner Partnership L.P. in an amount not to exceed \$21,120, and **(3)** an increase in appropriations in the amount of \$21,120 in the Capital Projects Reimbursement Fund - \$21,120 - Financing: Private Funds **[02-3268; APPROVED]**
14. Authorize a Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the City's share of the cost associated with paving, drainage, water and wastewater main improvements on Military Parkway from Jim Miller Road to Elva Avenue - \$103,077 - Financing: 1995 Bond Funds (\$31,102), Water Utilities Capital Construction Funds (\$71,975) **[02-3269; APPROVED]**

LAND ACQUISITION

15. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Pleasant Run/Lancaster Ltd. of approximately 1,351 square feet of land located at the intersection of Harry Hines Boulevard and Lovers Lane for Lovers Lane street improvements - \$12,835 - Financing: 1998 Bond Funds **[02-3177; APPROVED]**

CONSENT AGENDA (Continued)
LAND MISCELLANEOUS

16. Authorize conveyance of an easement and right-of-way to Oncor Electric Delivery Company, containing approximately 6,005 square feet of land, for the construction and maintenance of electrical transmission, distribution and communication systems on City-owned land at the Dallas Convention Center located near the intersection of Lamar Street and Memorial Drive - Financing: No cost consideration to the City **[02-3178; APPROVED]**
17. Authorize a relocation payment to Bernard D. Nguyen resulting from the acquisition of a building located at 2525 Ross Avenue for the Performing Arts Center Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds (\$15,000) and Performing Arts Complex Funds (\$5,000) **[02-3179; APPROVED]**
18. An ordinance abandoning 2 utility easements, a drainage and sidewalk easement and Preston Trail Court to 5900 Keller Springs, L.P., the abutting owner, containing a total of approximately 23,107 square feet of land in exchange for the rededication of not less than 17,751 square feet of the abandoned street right-of-way as a private street located near the intersection of Keller Springs and Preston Roads, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[02-3180; ORDINANCE 25094; APPROVED AS AN INDIVIDUAL ITEM]**
19. Authorize conveyance of a wastewater easement containing approximately 1,794 square feet of land to the Dallas County Water Control and Improvement District No. 6 for the construction and maintenance of wastewater facilities across City-owned land located near the intersection of Coldbrook Lane and U.S. Highway 175 - Financing: No cost consideration to the City **[02-3181; APPROVED]**
20. Authorize the release of lien and discharge of the secured, no-interest, forgivable note in the amount of \$50,000 on real properties located at 2156 and 2200 East Ledbetter (Shahn's Place, Inc.) - Financing: No cost consideration to the City **[02-3182; APPROVED]**
21. Authorize the release of lien and discharge of two secured, no-interest, forgivable notes in the amounts of \$25,000 and \$50,000 on real property located at 4215 Maple Avenue (Dallas Community Center for the Deaf) - Financing: No cost consideration to the City **[02-3183; APPROVED]**
22. Authorize the release of lien and discharge of the secured, no-interest, forgivable note in the amount of \$30,000 on real property located at 2721 Lyola Street (Alameda Heights Outreach Foundation) - Financing: No cost consideration to the City **[02-3184; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

23. Authorize a service contract for the restoration and painting of seven bridges at the Tenison Park Glen East Golf Course with the lowest responsible bidder of seven - Immaculate Painting - Not to exceed \$52,751 - Financing: Golf Improvement Trust Funds **[02-3185; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

24. Authorize a thirty-six-month service contract for emergency medical services at the Dallas Convention Center and Reunion Arena with the most advantageous proposer of four - Medcor, Inc. - City will receive 23% of gross revenues, less sales tax - Estimated Annual Revenue: \$21,769 **[02-3186; APPROVED]**
25. Authorize a thirty-six-month service contract for heating, ventilation and air conditioning maintenance and repair with the lowest responsible bidder of four - Gulf Energy Systems, Inc. - Not to exceed \$213,761 - Financing: Current Funds **[02-3187; APPROVED AS AN INDIVIDUAL ITEM]**
26. Authorize a thirty-six-month price agreement for replacement belts for specialized machinery at the Southside Wastewater Treatment Plant and the Elm Fork Purification Plant with the lowest responsible bidders of eight - Filter Belts, Inc., Andritz-Ruthner, Inc., Sitos, Texas, L.L.C., Compositex, Inc., and RGA-Allied Belting - Not to exceed \$139,056 - Financing: Water Utilities Current Funds **[02-3188; APPROVED]**

MISCELLANEOUS

27. Authorize a professional services contract with the law firm of Webb & Webb for legal representation of the City of Dallas on water rights matters pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$200,000 - Financing: Water Utilities Current Funds **[02-3189; APPROVED]**
28. Authorize an agreement with the Texas Department of Transportation, Aviation Division, to act as the City's agent to create a Runway Safety Area for Runway 31 at Dallas Executive Airport that conforms to Federal Aviation Administration design standards - Not to exceed \$225,000 - Financing: Aviation Capital Construction Funds **[02-3190; APPROVED]**
29. Authorize amendments to Resolutions 02-0821 and 02-0822 originally approved on February 27, 2002 for facade renovations and other improvements necessary and convenient to the redevelopment of 1520-1522 Main Street and the implementation of the project plan for Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to: **(1)** add funding in an amount not to exceed \$95,000 for environmental remediation, thereby increasing the TIF funding from \$970,000 to \$1,065,000 plus interest, **(2)** extend the deadline to take out building permits or fund TIF improvements from December 2002 to June 2003 and **(3)** increase Main Street Investors Joint Venture and/or their tenants required investment from \$1,700,000 to \$2,000,000, including purchase price, and **(4)** amend minor related matters thereto - Financing: No cost consideration to the City **[02-3191; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

30. Authorize a real property tax abatement agreement with Building No. 2, Mountain Creek, L.P. for the purpose of granting a ten-year abatement of 90 percent of the taxes on the added value to the real property for its new building located within Enterprise Zone Two on vacant land at Mountain Creek Business Park - Revenue: First year tax revenue estimated at \$4,198; ten-year revenue estimated at \$41,988; (Estimated revenue foregone for ten-year property abatement \$377,892) - Financing: No cost consideration to the City **[02-3192; APPROVED]**
31. An ordinance authorizing a correction to Ordinance No. 23920 for a CS Commercial Service District on the west side of Petal Street, south of Grader Street to correct the property description (Z989-190/10848-NE(MB)) - Financing: No cost consideration to the City **[02-3193; ORDINANCE 25095; APPROVED]**
32. An ordinance authorizing a correction to Ordinance No. 24095 for a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast side of Lake Avenue, northwest of Kings Road to correct the property description (Z989-261/10949-NW(BP)) - Financing: No cost consideration to the City **[02-3194; ORDINANCE 25096; APPROVED]**
33. An ordinance amending the Dallas Development Code to make fee sections of Chapter 51 consistent with identical counterparts in Chapter 51A - Financing: No cost consideration to the City **[02-3195; ORDINANCE 25097; APPROVED]**
34. Authorize **(1)** the acceptance of grant funds from the U.S. Department of Education to establish a Community Technology Center that will provide economically disadvantaged residents in zip codes 75215 and 75210 in the MLK Enterprise Community, with computer assisted instruction/training for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$12,000 and **(2)** execution of the grant agreement - \$292,448 - Financing: U.S. Department of Education Grant Funds (\$280,448) and Current Funds (\$12,000) **[02-3196; APPROVED AS AN INDIVIDUAL ITEM]**
35. Authorize an increase in appropriations for grant funds received from the U.S. Department of Health & Human Services, Public Health Service for continuation of planning efforts and identification of sustainment needs required to maintain the Dallas Metropolitan Response System capabilities in the City of Dallas for the period September 30, 2001 to September 30, 2003 - \$50,000, from \$550,000 to \$600,000 - Financing: U.S. Department of Health and Human Services Public Health Service 1999 Omnibus Appropriation **[02-3197; APPROVED]**
36. Authorize a modification to the format of the uniformed police, fire, and park ranger salary schedules effective October 29, 2002 - Financing: No cost consideration to the City **[02-3198; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

37. Authorize **(1)** amendments to the Mortgage Assistance Program Statement to **(a)** provide for a downpayment and closing cost program, and a principal reduction program **(b)** revise the subsidy sliding scale, **(c)** limit the amount of out-of-pocket borrower downpayment, and **(d)** increase the deed restriction term to 15 years; and **(2)** exercise of the second of two twelve-month renewal options to the professional services contract with The Enterprise Foundation, Inc. in the amount of \$5,720,000 (\$5,270,000 program loan funds and \$450,000 administration and service delivery funds) to provide financial services and administration of the Mortgage Assistance Program for FY 02-03 - Total not to exceed \$5,720,000 - Financing: 2002-03 Community Development Grant Funds (\$329,150), 2002-03 HOME Funds (\$5,390,850) **[02-3199; APPROVED AS AN INDIVIDUAL ITEM]**
38. Authorize the reconstruction on-site of ten homes in accordance with the Home Repair Program Statement for the properties located at 2324 Arden Road, 318 Avenue G, 2427 Britton Avenue, 410 Cleaves Street, 3247 Culver Street, 4323 Jamaica Street, 2831 S. Marsalis Avenue, 1410 E. Overton Road, 5267 St. Charles Avenue, and 843 Wixom Lane - \$55,000 per property for a total not to exceed \$550,000 - Financing: 2000-01 HOME Funds **[02-3200; APPROVED]**
39. Authorize renewal of the personal services contract with Kwame Walker & Associates for state legislative services from November 13, 2002 through November 12, 2003 - Not to exceed \$25,000 - Financing: Current Funds **[02-3201; APPROVED]**
40. Authorize renewal of the personal services contract with Barbara T. McCall Associates, Inc. for federal legislative services for the City of Dallas from November 13, 2002 through November 12, 2003 - Not to exceed \$142,500 - Financing: Current Funds **[02-3202; APPROVED]**
41. Authorize renewal of the personal services contract with Hilgers & Watkins, P.C. for state legislative services to be provided by Mr. Randy Cain from November 13, 2002 through November 12, 2003 - Not to exceed \$60,000 - Financing: Current Funds **[02-3203; APPROVED]**

Trinity River Project Legislative Services

42. * Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Project from December 13, 2002 through December 12, 2003 - Not to exceed \$60,000 - Financing: Current Funds **[02-3204; APPROVED]**
43. * Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Project from December 13, 2002 through December 12, 2003 - Not to exceed \$30,000 - Financing: Current Funds **[02-3205; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

44. Authorize **(1)** the acceptance of a revised Cultural Policy and Program which articulates the guiding principles, goals and methods through which the City will seek to meet the future cultural needs of the community and **(2)** an amendment to Resolution No. 94-0704 previously approved on February 9, 1994 in which the City Council revised the Cultural Policy and Program to clarify the composition, qualifications, appointments and terms of membership on the Public Art Committee of the Cultural Affairs Commission to include a change in the residency qualifications to serve on the Public Art Committee from three years to one year, in accordance with qualifications for service on other City of Dallas appointed boards and commissions - Financing: No cost consideration to the City **[02-3206; APPROVED]**
45. Authorize a contract with the Dallas Museum of Natural History Association for the provision of cultural services to the City through the Cultural Organization Program - \$442,341 - Financing: Current Funds **[02-3207; APPROVED]**
46. Authorize contracts with cultural organizations for the provision of cultural services to the City through the Cultural Organization Program (list attached) - Not to exceed \$4,060,925 - Financing: Current Funds (\$3,915,600) and Texas Commission on the Arts Grant Funds (\$145,325) **[02-3208; APPROVED AS CORRECTED ON THE SECOND ADDENDUM]**
47. An ordinance awarding a franchise for 10 years to Innovative Broadband Solutions, Inc., to build and operate a radio-based, wireless internet and data communications system - Estimated Revenue: \$500,000 over 10 years **[02-3209; DELETED]**
48. Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's control - Financing: No cost consideration to the City **[02-3210; APPROVED]**
49. Authorize twelve-month contracts with Dallas Arboretum and Botanical Society, Inc. (\$342,050) and Texas Discovery Gardens, Inc. (formerly the Dallas Horticulture Center) (\$88,645) to provide services and programs within the City of Dallas for the period October 1, 2002 through September 30, 2003 - Total not to exceed \$430,695 - Financing: Current Funds **[02-3211; APPROVED]**
50. Authorize a five-year public/private partnership between the City of Dallas, Deep Ellum Association, Deep Ellum Foundation, and Dallas CBD Enterprises, Inc. for development and ongoing maintenance of an off-leash site for pets in the downtown area - \$140,000 - Financing: Private Funds (\$87,000), In-Kind Contributions (\$35,000), and Current Funds (\$18,000) (subject to annual appropriations) **[02-3212; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

51. Authorize the application for and acceptance of the 2002-03 Intersection Traffic Control Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$490,925, and execution of the grant agreement - \$816,797 - Financing: Texas Department of Transportation Grant Funds (\$325,872), Current Funds (\$313,076) and In-Kind Contributions (\$177,849) **[02-3213; APPROVED AS AN INDIVIDUAL ITEM]**
52. Authorize the application for and acceptance of the 2002-03 Safe and Sober Selective Traffic Enforcement Program grant for traffic related activities from the Texas Department of Transportation for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$164,732 and execution of the grant agreement - \$764,732 - Financing: Texas Department of Transportation Grant Funds (\$600,000) and Current Funds (\$164,732) **[02-3214; APPROVED]**
53. Authorize the application for and acceptance of the 2002-03 Speed Selective Traffic Enforcement Program grant for traffic-related activities from the Texas Department of Transportation for the period October 1, 2002 through September 30, 2003, a local match in the amount of \$444,573, and execution of the grant agreement - \$645,415 - Financing: Texas Department of Transportation Grant Funds (\$200,842), Current Funds (\$310,438) and In-Kind Contributions (\$134,135) **[02-3215; APPROVED AS AN INDIVIDUAL ITEM]**
54. 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 October 1, 2002 through December 31, 2002, a City contribution of pension and Federal Insurance Contributions Act costs of \$9,282 and execution of the grant agreement - \$42,172 - Financing: Current Funds (\$9,282) and Texas Department of Transportation Grant Funds (\$32,890) **[02-3216; APPROVED]**
55. Authorize the acceptance of the Sexual Assault/Stalking/2 Training grant from the Office of the Governor, Criminal Justice Division in the amount of \$22,399, for the period December 1, 2002 through August 31, 2003, to provide specialized training to detectives who investigate sexual assault and stalking offenses, a local match in the amount of \$7,899, and execution of the grant agreement - \$30,298 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$22,399) and Current Funds (\$7,899) **[02-3217; APPROVED]**
56. Authorize the acceptance of the Investigations of Violations of Emergency Protective Orders grant from the Office of the Governor, Criminal Justice Division in the amount of \$60,000 to investigate and respond to Emergency Protective Orders granted to victims of domestic violence, for the period December 1, 2002 through August 31, 2003, a local match in the amount of \$50,247, and execution of the grant agreement - \$110,247 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$60,000) and Current Funds (\$50,247) **[02-3218; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

57. Authorize renewal of the Interlocal Agreement with the Drug Enforcement Administration and the Texas Department of Public Safety to access the Texas Narcotics Information System database to perform drug trafficker investigations for the period January 1, 2003 through December 31, 2003 - Not to exceed \$3,500 - Financing: Confiscated Monies Funds **[02-3219; APPROVED]**
58. Authorize a personal services contract with Ron Cearley for oversight and improvements in operations at the McCommas Bluff Landfill Heavy Equipment Maintenance Shop - Not to exceed \$54,120 - Financing: Current Funds **[02-3220; APPROVED AS AN INDIVIDUAL ITEM]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [02-3221]

59. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a Dry Overlay on the north side of South Beltline Road, west of U.S. Highway I-75
Recommendation of Staff and CPC: Approval, with retention of the D-1 Dry Overlay **Z001-229 (EB/WE) [02-3222; ORDINANCE 25099; APPROVED AS CORRECTED ON THE ADDENDUM]**
60. An application for and a resolution terminating that portion of the deed restrictions limiting height and density on property zoned an MU-3 Mixed Use District located on the west side of Vantage Point Drive, northwest of Greenville Avenue
Recommendation of Staff and CPC: Approval
Z012-226 (JC/MF) [02-3223; CPC RECOMMENDATION FOLLOWED]
61. 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 dance hall, on property zoned a Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, located at Grand Avenue and Meadow Street, east corner
Recommendation of Staff and CPC: Approval, for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z012-256 (MF) [02-3224; ORDINANCE 25100; CPC RECOMMENDATION FOLLOWED]
62. An application for and an ordinance granting a Planned Development District for a Public school and TH-2(A) Townhouse District Uses on property zoned an MF-1(A) Multifamily District on the northeast corner of Maham Road and Midpark Road
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z012-259 (RB) [02-3225; ORDINANCE 25101; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

63. An application for and an ordinance granting an R-5(A) Single Family District on property zoned a CR Community Retail District, on the south side of Bernal Drive, between Weisenberger Drive and Peoria Avenue
Recommendation of Staff and CPC: Approval
Z012-261 (WE) [02-3226; ORDINANCE 25102; CPC RECOMMENDATION FOLLOWED]
64. An application for and an ordinance granting an R-5(A) Single Family District on property zoned an NS(A)-D Neighborhood Service District with a Dry Overlay, on the north side of Bernal Drive, between Weisenberger Drive and Hammerly Drive
Recommendation of Staff and CPC: Approval, with retention of the Dry Overlay
Z012-262 (WE) [02-3227; ORDINANCE 25103; CPC RECOMMENDATION FOLLOWED]
65. An application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the northwest corner of Illinois Avenue and Southern Oaks Boulevard
Recommendation of Staff: Approval, subject to deed restrictions volunteered by the applicant
Recommendation of CPC: Pending November 7, 2002, hearing
Z012-265(RB) [02-3228; APPROVED AS CORRECTED ON THE ADDENDUM]
66. An application for and an ordinance renewing Specific Use Permit No. 1111 for the sale and service of alcoholic beverages on property zoned a CS-D-1 Community Service District with a Dry-1 Overlay on C. F. Hawn Freeway (U.S. Highway 175), northwest of Woody Road, southwest side
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions
Z012-272 (MF) [02-3229; ORDINANCE 25104; CPC RECOMMENDATION FOLLOWED]
67. An application for and an ordinance granting an amendment to Specific Use Permit No. 1262 for a Private School on property zoned an R-10(A) Single Family District on the northwest corner of Midway Road and Rosa 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
Z012-276 (FD) [02-3230; POSTPONED UNTIL 12/11/02; HEARING OPEN]
68. An application for and an ordinance granting an Historic Overlay District for the Ahab Bowen House on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of Boll and Howland Streets
Recommendation of Staff and CPC: Approval
Z012-278 (JA) [02-3231; ORDINANCE 25105; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

69. An application for and an ordinance granting an amendment to Specific Use Permit No. 1282 for a financial institution with drive thru on property zoned Planned Development District No. 314, the Preston Center Special Purpose District, on the south side of West Northwest Highway and east of North Dallas Tollway
Recommendation of Staff and CPC: Approval
Z012-285 (WE) [02-3232; ORDINANCE 25106; CPC RECOMMENDATION FOLLOWED]
70. An application for and an ordinance granting an MF-2(A) Multifamily District on property zoned Planned Development District No. 261 for Neighborhood Service District uses and an ordinance terminating Planned Development District No. 261 on the south corner of Henderson Avenue and Manett Street
Recommendation of Staff and CPC: Approval
Z012-286 (MF) [02-3233; ORDINANCE 25107; CPC RECOMMENDATION FOLLOWED]
71. An application for and an ordinance granting an RR Regional Retail District on property zoned an IM Industrial Manufacturing District and an IR Industrial Research District with Specific Use Permit No. 98 for mining and an ordinance terminating Specific Use Permit No. 98 encompassing the request site on the southeast corner of the intersection of Chalk Hill Road and Interstate 30
Recommendation of Staff and CPC: Approval
Z012-288 (MF) [02-3234; ORDINANCES 25108 AND 25109; CPC RECOMMENDATION FOLLOWED]
72. An application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CH Clustered Housing District, on the southwest corner of Frank Jackson Drive and Ronnie Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z012-292 (WE) [02-3235; POSTPONED UNTIL 12/11/02; HEARING OPEN]

ZONING CASES - INDIVIDUAL

73. An application for a Planned Development District for Mixed Uses on property zoned an MF-2(A) Multifamily District and an ordinance granting a Specific Use Permit for a Community Service Center use and a Child Care Facility, on the south side of Ross Avenue between Matilda Street and Hope Street
Recommendation of Staff and CPC: Denial of a Planned Development District and approval of a Specific Use Permit for a Community Service Center use and a Child Care Facility, subject to a site/landscape plan and conditions
Z012-211 (MF) [02-3236; ORDINANCE 25110; APPROVED AMENDED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

74. An application for and an ordinance granting a Specific Use Permit for Private streets on property zoned a TH-1(A) Townhouse District on the northwest corner of Preston Road and Keller Springs Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, for a permanent time period, subject to a site plan and conditions
Z012-212 (RB) [02-3237; ORDINANCE 25111; CPC RECOMMENDATION FOLLOWED]
75. An application to amend the existing deed restrictions on property zoned an R-1ac(A) Single Family District with the FP Flood Plain designation and a TH-1(A) Townhouse District located on the northwest corner of Preston Road and Keller Springs Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval
Z012-229 (RB) [02-3238; CPC RECOMMENDATION FOLLOWED]
76. An application for a CR Community Retail District and the removal of the Dry Overlay and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LO-1-D Limited Office-1 District with a Dry Overlay, on the south corner of Phillip Avenue and Graham Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, with retention of the Dry Overlay subject to deed restrictions volunteered by the applicant
Z012-275 (WE) [02-3239; ORDINANCE 25112; CPC RECOMMENDATION FOLLOWED]
77. An application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an IR Industrial Research District on the southeast corner of the intersection of Exchange Service Drive and Joseph Hardin Drive
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a seven year period, subject to a site plan and conditions
Z012-277 (WE) [02-3240; ORDINANCE 25113; APPROVED AS AMENDED]
78. An application for and a resolution amending deed restrictions on property zoned Planned Development District No. 469 for a private school located on Preston Road, north of Arapaho Road, east side
Recommendation of Staff and CPC: Approval
Z012-257 (MF) [02-3241; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

79. A City Plan Commission authorized hearing to consider proper zoning with consideration being given to a Planned Development District for R-7.5(A) Single Family District Uses with specific consideration of minimum lot size and minimum building setbacks on an area generally bounded by Midway Road, properties on the north side of Bonham Street and properties on the south side of Sexton Lane, exclusive of the three westernmost lots on the south side of Sexton Lane and zoned an R-16(A) Single Family District and an ordinance granting a Planned Development District for R-16(A) Single Family District Uses
Recommendation of Staff: Approval of an R-7.5(A) Single Family District
Recommendation of CPC: Approval of a Planned Development District for R-16(A) Single Family District uses
Z012-198 (RB) [02-3242; ORDINANCE 25114; APPROVED AS AMENDED]
80. A City Plan Commission authorized hearing to consider expanding the Bishop/Eighth Conservation District presently bounded by Seventh Street, Zang Blvd, Eighth Street, and Llewellyn Avenue, one block north to include various properties on the north and south side of West Davis Street from Llewellyn Ave to Elsbeth Avenue zoned a CS Commercial Service District, a LO-1-D Limited Office District with a Dry Overlay and Planned Development District No. 309 for Inside Industrial Manufacturing, Warehouse, and CS Commercial Service District uses and an ordinance granting expansion of the conservation district
Recommendation of Staff and CPC: Approval of the expansion of the conservation district
Z012-103 (NB) [02-3243; ORDINANCE 25115; APPROVED AS AMENDED]
81. A City Plan Commission authorized hearing to determine the proper zoning on property zoned an R-7.5(A) Single Family, R-7.5(A)-MD-1 Single Family Modified Delta District, and a CR-MD-1 Community Retail Modified Delta District and an ordinance approving the M-Streets Conservation District Conceptual Plan in compliance with Sec. 51A-4.505 of the Dallas City Code and granting a Conservation District on property generally bounded by McCommas Avenue, Greenville Avenue, Vanderbilt Street and Central Expressway (US-75) and including both sides of McCommas Avenue and Vanderbilt Street
Recommendation of Staff and CPC: Approval
Z012-287 (JG) [02-3244; ORDINANCE 25116; CPC RECOMMENDATION FOLLOWED]
82. An application for a Planned Development District for CR Community Retail District Uses on property zoned an NS(A) Neighborhood Service District and an IR Industrial Research District on the southwest corner of Mockingbird Lane and Haggard Way
Recommendation of Staff and CPC: Denial
Z012-215 (RB) [02-3245; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

83. An application for and an ordinance granting an amendment to the development/landscape plan and conditions for Planned Development District No. 469 for a Private school to permit the addition of two lighted tennis courts on property at the east corner of Preston Road and the St. Louis & Southwestern Railroad
Recommendation of Staff: Approval, subject to revised conditions permitting the lighting of the tennis courts and a revised development/landscape plan.
Recommendation of CPC: Approval, subject to conditions and a revised development/landscape plan remitting requested lighting of the tennis courts
Z012-149 (RB) [02-3246; ORDINANCE 25117; APPROVED AS AMENDED]
Note: This item was considered by the City Council at a public hearing on June 12, 2002, and was taken under advisement with the public hearing open to allow the City Plan Commission to consider the termination of deed restrictions in a companion case, Z012-257, to be scheduled for City Council consideration on November 13, 2002.
84. 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) [02-3247; ORDINANCE 25118; CPC RECOMMENDATION FOLLOWED]
Note: This item was considered by the City Council at a public hearing on October 23, 2002, and was taken under advisement until November 13, 2002, with the public hearing open.

BENEFIT ASSESSMENT HEARINGS

85. A benefit assessment hearing to receive citizens' comments on sidewalk paving improvements for Sidewalk Group 98-116 (list attached), and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Omega Contracting, Inc., lowest responsible bidder of eight - \$446,202 - Financing: Capital Assessments Funds (\$370,037), Water Utilities Capital Construction Funds (\$76,165) **[02-3248; ORDINANCE 25119; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS

86. A public hearing to receive citizens' comments and Council action on the proposed change of use and lease of approximately 3,280 square feet of park land located at the intersection of Akard Street and Main Street being part of Pegasus Plaza - Financing: No cost consideration to the City **[02-3249; HEARING CLOSED; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Note: Item Nos. 87 and 88 must be considered collectively.

City Center TIF District

87. * A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to include 1530 and 1609 Main Street and 1506 and 1512 Commerce Street, modifications to the Plan and of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City **[02-3250; HEARING CLOSED]**
88. * An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to include 1530 and 1609 Main Street and 1506 and 1512 Commerce Street, modifications to the Plan and modifications of Ordinance Nos. 22802 and 23034, which created the City Center TIF District and adopted the Plan for the City Center Tax Increment Financing District - Financing: No cost consideration to the City **[02-3250; ORDINANCE 25120; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

89. 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) **[02-3251; APPOINTMENTS MADE TO BOARDS]**
90. An ordinance authorizing the issuance and sale of \$11,195,000 City of Dallas, Texas Equipment Acquisition Contractual Obligations, Series 2002; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$79,640 - Financing: 2002 Equipment Acquisition Contractual Obligations - Interest Earnings **(To be considered before 12:00 noon) [02-3252; ORDINANCE 25098; APPROVED]**
91. 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 **[02-3253; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

92. 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 [**02-3254; APPROVED**]

93. 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 [**02-3255; POSTPONED UNTIL 01/08/03**]

ADDENDUM

ADDITIONS:

ITEMS FOR INDIVIDUAL CONSIDERATION

1. A resolution establishing the annual salary of Jay Robinson, Administrative Municipal Judge for the City of Dallas Municipal Court of Record at \$105,000 effective as of October 9, 2002 - \$105,000 - Financing: Current Funds **[02-3256; APPROVED]**
2. Authorize a professional services contract with Economists.com for expert services necessary to assist the City in negotiations and potential settlement of its \$3,300,000 in claims against The Hanover Insurance Company regarding two surety bonds issued by Hanover for the benefit of the City relating to the Western Integrated Networks of Texas Operating, L.P. franchise, and any other matters related to this controversy - Not to exceed \$50,000 - Financing: Current Funds **[02-3257; APPROVED]**
3. 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 **[02-3258; APPROVED]**
4. Authorize **(1)** declaration of 3 tracts of City-owned land containing a total of approximately 33 acres located near the intersection of Sandy Lake Road and Stemmons Freeway unneeded and unwanted, **(2)** the conveyance to North Texas Tollway Authority of said 3 surplus tracts of land, 1 utility easement containing approximately 25,003 square feet of land and 2 temporary easements containing a total of approximately 2 acres of land, to be used for construction of Segment IV of the President George Bush Turnpike, **(3)** a right of entry agreement covering the 3 surplus tracts and the 3 easements, **(4)** a joint use agreement for the continued use of existing water lines and **(5)** acquisition from the North Texas Tollway Authority of approximately 74 acres located near the intersection of Sandy Lake Road and Stemmons Freeway as consideration for the conveyance of the 3 surplus tracts and 3 easements, for use as pre-sedimentation basins by Dallas Water Utilities - Financing: No cost consideration to the City **[02-3259; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

5. Authorize preparation of plans for issuance of an amount not to exceed \$110,000,000 in General Obligation Refunding Bonds, Series 2003 - Financing: This action has no cost consideration to the City **[02-3260; APPROVED]**
6. Authorize preparation of plans for issuance of an amount not to exceed \$275,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2003 - Financing: This action has no cost consideration to the City **[02-3261; APPROVED AS AMENDED]**
7. Authorize an increase in the contract with Rebcon, Inc. for the construction of bridge lighting and retaining wall for South Central Addition Improvements, Phase I, Linfield Bridge over Union Pacific Railroad and Hull Avenue Connector - \$295,792, from \$3,348,030 to \$3,643,822 - Financing: 1998 Bond Funds **[02-3262; APPROVED]**
8. Authorize **(1)** an increase in the interior finish-out contract with Constructors & Associates, Inc. to provide mechanical, electrical, plumbing and security revisions for the Jack Evans Police Headquarters in the amount of \$476,513, from \$13,069,140 to \$13,545,653, within the Guaranteed Maximum Price, and **(2)** an increase in the landscape contract with Constructors & Associates, Inc. to provide modifications to vehicular barricade devices and grading revisions to accommodate plant material requirements, in the amount of \$65,550, from \$1,986,100 to \$2,051,650, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[02-3263; APPROVED]**
9. Authorize the application for a grant in the approximate amount of \$300,000 with matching local funds from the Texas Water Development Board for the Reclaimed Water Implementation Study - Financing: This action has no cost consideration to the City **[02-3264; APPROVED]**
10. Authorize the rejection of the September 5, 2002 letter of deal points from International Marketplace, Inc. to lease Shed No. 2 at the Dallas Farmers Market - Financing: No cost consideration to the City **[02-3265; APPROVED]**
11. An ordinance abandoning Oakshire Place and Rockhaven Place to Fath Oakshire Property Limited Partnership, Fath Forest Lane Limited Partnership, Fath Rockhaven Property Limited Partnership, and Dallas City Homes, Inc., the abutting owners, containing approximately 93,774 square feet of land located near the intersection with Forest Lane, and authorizing the quitclaim - Revenue: \$41,548 plus the \$20 ordinance publication fee **[02-3266; ORDINANCE 25121; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

12. Authorize a position reclassification in the Convention and Event Services Department for operations management at Reunion Arena - Financing: No cost consideration to the City [02-3267; **APPROVED**]

Note: Item Nos. 13 and 14
must be considered collectively.

Cityplace TIF District

13. * Authorize **(1)** amendments to Resolution No. 96-3686 and the subsequent development agreement between the City of Dallas and Cityplace Company/Oak Creek Partners, LTD (hereinafter referred to as Oak Creek Partners), for the funding of a portion of the public improvements related to the design and construction of the Cityplace DART Light Rail Station in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District); **(2)** an increase in appropriations in an amount not to exceed \$776,873 in the Cityplace TIF District Fund; **(3)** receipt in the Cityplace TIF Fund of an advance from Oak Creek Partners in an amount not to exceed \$1,265,000; and **(4)** disbursement from the Cityplace TIF District Fund of an amount not to exceed \$4,276,873 to DART for the Cityplace TIF District Fund portion of the design and construction of the Cityplace DART Light Rail Station - Total not to exceed \$4,276,873 - Financing: Cityplace TIF District Funds (\$1,265,000 to be advanced by a private developer and reimbursed with interest from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest on private funds to be repaid solely from the Cityplace TIF District Fund and/or Tax Increment Bonds) [02-3175; **APPROVED**]
14. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) to reimburse Oak Creek Partners for the funds advanced pursuant to the amended Resolution No. 96-3686 and the amended development agreement between the City of Dallas and Oak Creek Partners in an amount not to exceed \$1,265,000 plus interest, for a portion of certain public improvements related to the design and construction of the Cityplace DART Light Rail Station located in Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace TIF District) - \$1,265,000 - Financing: To be advanced by a private developer and reimbursed from the Cityplace TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semiannually) on private funds to be repaid solely from the Cityplace TIF District Fund and/or Tax Increment Bonds and or notes [02-3176; **APPROVED**]

ADDENDUM

CORRECTIONS:

59. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned a CR-D-1 Community Retail District with a Dry Overlay on the north side of South Beltline Road, west of U.S. Highway I-75 175
Recommendation of Staff and CPC: Approval, with retention of the D-1 Dry Overlay
Z001-229 (EB/WE) [02-3222]
65. An application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on the northwest corner of Illinois Avenue and Southern Oaks Boulevard
Recommendation of Staff: Approval, subject to deed restrictions volunteered by the applicant
Recommendation of CPC: ~~Pending November 7, 2002, hearing~~ Approval, subject to deed restrictions volunteered by the applicant
Z012-265(RB) [02-3228]

SECOND ADDENDUM

CORRECTIONS:

46. Authorize contracts with cultural organizations for the provision of cultural services to the City through the Cultural Organization Program (list attached) - Not to exceed \$4,060,925 - Financing: Current Funds (\$3,915,600) and Texas Commission on the Arts Grant Funds (\$145,325) [02-3208]

(Corrections have been made to the attached list only.)