

**ADDENDUM
CITY COUNCIL MEETING
APRIL 9, 2003
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A.M.**

ADDITIONS:

Closed Session

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

- Wisetime Entertainment, L.L.C. v. City of Dallas, et al.,
Cause No. 03-02471-L

CONSENT ADDENDUM

LAND ACQUISITION

1. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Trigger Gap, Inc., of approximately 40 acres of land located on the south side of Loop 12, east of the Trinity River, for environmental remediation and closure of the Deepwood and Loop 12 landfill sites - Not to exceed \$82,000 - Financing: Current Funds (to be reimbursed from proceeds of future tax exempt debt obligations)

LAND MISCELLANEOUS

2. An ordinance **(1)** repealing and consolidating Ordinance Nos. 22982, 23153 and 23760, and **(2)** granting a private license to Daryl Richardson Gourmet Catering, Inc. for the use of approximately 13,079 square feet of land to maintain the existing sidewalk, curbing, landscaping, garden wall, signs and construct, install and maintain additional landscaping, benches, banners, lighting and an aviary and aerial walkway in and over portions of Corbin, Hord, North Griffin and Laws Streets right-of-way - Revenue: \$10,360 annually plus the \$20 ordinance publication fee
3. Authorize the conveyance of a wastewater easement containing approximately 1,011 square feet of land to the City of Farmers Branch for the extension of an existing sewer line located near the intersection of Valwood Parkway and Stemmons Freeway - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS (Continued)

4. Authorize a sixty-month lease agreement with Jefferson Tower, L.P. for approximately 5,870 square feet of office space located in the Jefferson Tower Building, 351 W. Jefferson Boulevard, Suite 300, to be used as a Women, Infants and Children clinic for the period May 1, 2003 through April 30, 2008 - Not to exceed \$90,985 annually with a total not to exceed \$454,925 - Financing: Texas Department of Health Grant Funds (subject to annual appropriations)
5. Authorize the discharge of the secured, no-interest, forgivable note with Phoenix Project, Inc. in the amount of \$50,000 and the release of lien on real property located at 201 South Tyler Street - Financing: No cost consideration to the City

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

6. Authorize **(1)** rescinding the thirty-six-month price agreement with Clarksville Oil and Gas Co. for fuel previously awarded on December 11, 2002, pursuant to Resolution No. 02-3591 and **(2)** a thirty-six-month price agreement for fuel with the lowest responsible bidder of five - Truman Arnold Companies - Not to exceed \$12,428,013 - Financing: Current Funds
7. Authorize **(1)** the purchase of a food protection and permitting system in the amount of \$145,500, and **(2)** a sixty-month service and maintenance agreement in the amount of \$85,020, from the most advantageous proposer of seven - Decade Software Solutions, LLC - Total not to exceed \$230,520 - Financing: Current Funds (\$85,020 is subject to annual appropriations)
8. Authorize **(1)** rescinding the thirty-six-month service contract previously awarded on February 26, 2003, by Resolution No. 03-0826, with Jackson's Lawn Service for grounds maintenance at various Park and Recreation and Library properties and **(2)** a thirty-six-month service contract for grounds maintenance at various Park and Recreation and Library properties with the lowest responsible bidder of ten - Professional Research & Referrals - Not to exceed \$1,648,769 - Financing: Current Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

9. Authorize the acceptance of a donation from the Vickery Meadow Management Corporation to fund a Community Prosecutor serving the Vickery Meadow Public Improvement District for the period of January 1, 2003 through December 31, 2003 - Not to exceed \$75,000 - Financing: Private Funds
10. Authorize **(1)** the third renewal option to the contract with the Southern Dallas Development Corporation to administer the Southern Dallas Economic Development Revolving Loan Program, Professional and Technical Assistance Program, and the Demonstration Loan Program for the purpose of providing loans, job opportunities, community and economic development, and revitalization within sixty-two Southern Dallas census tracts approved by the U.S. Department of Housing and Urban Development, and **(2)** any unexpended balances of program income from prior approved contracts be retained and rolled over into the third renewal of the contract for providing and servicing loans, technical services, program delivery and administration - Financing: No cost consideration to the City
11. Authorize **(1)** the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period of May 1, 2003 through April 30, 2004 and **(2)** execution of the grant agreement - Not to exceed \$431,880 - Financing: U.S. Department of Housing and Urban Development Grant Funds
12. Authorize an amendment to the Public Works Public/Private development agreement previously authorized on June 28, 2000, by Resolution No. 00-2145 for The Villages of Runyon Springs, a residential development located between Lancaster and Houston School Roads near Simpson Stuart Road increasing the maximum City of Dallas participation - \$500,000, from \$1,000,000 to \$1,500,000 - Financing: Public/Private Partnership Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

13. Authorize amendments to **(1)** Resolution No. 02-3086 previously authorized on October 23, 2002 and **(2)** the terms of the loan agreement with Parmer Villas Housing, L. P. to **(a)** allow the previously authorized reimbursement of 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 to be \$1,100,000 based upon a Schedule of Values in the demolition contract **(b)** provide for 288 replacement rental units, of which at least 230 must be affordable units, to be constructed in no more than two project phases, and **(c)** provide for the potential sale of the first phase to an ownership entity at closing of the tax credits therefor and a transfer of the second phase to an affiliate of Southwest Housing Development Company and Parmer Villas Housing L.P. with the same duties, obligations and liabilities - Financing: No cost consideration to the City
14. Authorize a public hearing to be held on May 14, 2003 to receive citizens' comments in preparation of the FY 2003-04 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City
15. Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a seat belt enforcement initiative, for the period May 1, 2003 through December 31, 2003, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$24,551, and **(3)** execution of the grant agreement - Total not to exceed \$111,551 - Financing: Current Funds (\$24,551) and Texas Department of Transportation Grant Funds (\$87,000)

PUBLIC HEARINGS AND RELATED ACTIONS

Note: Consideration of Addendum Item #16 is contingent upon approval of Agenda Items #57 and #58.

16. Authorize an amendment to the provisions of the purchase and sale agreement for an historical facade easement on the Davis Building approved on April 28, 1999, pursuant to Resolution No. 99-1434, located in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) increasing the amount of purchase for the facade easement from \$1,100,000 to \$1,290,000 - Financing: No additional cost consideration to the City

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

17. Authorize payment of additional attorneys fees to Michael M. Daniel pursuant to Plaintiffs' Motion for Post-Judgment Attorney's Fees in the lawsuit styled Harold Cox, Shirley Davidson, Robert Stubblefield, Cynthia Herring, Eloise Edwards, Betty Curley and Leo Easter v. City of Dallas, Herman Nethery and Terry Van Sickle, Civil Action No. 3:98-CV-0291-H consolidated with Civil Action No. 3:98-CV-1763-H - Not to exceed \$115,000, from \$167,390 to \$282,390 - Financing: Current Funds
18. An ordinance amending Chapter 12A of the Dallas City Code to **(1)** provide for the State's financial reporting forms to be used for filing financial disclosure reports required by the city, with a penalty not to exceed \$500 for violations; **(2)** clarify the confidentiality requirements of the ethics code complaint process; **(3)** require that all information provided to the Ethics Advisory Commission by a party to an ethics complaint be distributed to all parties to the complaint; and **(4)** provide requirements for giving notice of written decisions of the Ethics Advisory Commission - Financing: No cost consideration to the City (via Mayor Miller)
19. Authorize an agreement with the North Texas Tollway Authority for services from the Dallas Zoo concerning endangered species, Interior Least Tern, *Sterna Antillarum* for the George Bush Turnpike, Segment IV, Turnpike Project from May 1, 2003 to September 30, 2003, May 1, 2004 to September 30, 2004, May 1, 2005 to September 30, 2005 and May 1, 2006 to September 30, 2006 - Estimated Annual Revenue: \$10,000
20. An ordinance amending Ordinance Nos. 25185 and 25186 ordering the May 3, 2003 general election and the May 3, 2003 special election for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding permanent public improvements, in order to change some election-day and early voting locations - Financing: No cost consideration to the City

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CORRECTIONS:

50. A City Plan Commission authorized hearing to determine the proper zoning on property zoned a CC Community Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with Specific Use Permit No. 1495 for an alcoholic beverage establishment use for a bar, lounge or tavern and a commercial amusement (inside) to be used as a Class C dance hall on the east corner of the intersection of Grand Avenue and Meadow Street and an ordinance granting an amendment to Specific Use Permit No. 1495
Recommendation of Staff: Approval of an amendment to Specific Use Permit No. 1495 to allow a class A dance hall and an amendment of the time period to begin with adoption of a new ordinance
Recommendation of CPC: ~~Pending the March 27, 2003 meeting~~ Approval
Z023-171 (MF)
51. An application for a CH Cluster Housing District on property zoned an R-7.5(A) Single Family District, on Oren Lane, South of Jim Miller Street and West of Orbiter Park
Recommendation of Staff and CPC: Approval of an R-5(A) Single Family District in lieu of the requested CH Clustered Housing District
Z012-269 (RB)
53. Authorize the City of Dallas Housing Finance Corporation to issue a \$12,900,000 tax-exempt Multifamily Mortgage Revenue Bond, Series 2003, for the benefit of Escondido Housing, L.P. a Texas Limited Partnership whose General Partner will be an entity owned by Brian Potashnik, for the land acquisition and new construction of the 280-unit Oaks III Apartments housing development for low and moderate income seniors, located adjacent to 2999 S. Hampton Road at Perryton and behind the Dallas Southwest Medical Center, subject to the approval of zoning no later than May 14, 2003 - Financing: No cost consideration to the City
54. An application for a Planned Development District for a Private school, Open enrollment charter school, and NO(A) Neighborhood Office District Uses on property zoned an MF-2(A) Multifamily District, an NO(A) Neighborhood Office District, and a P(A) Parking District on property bounded by Live Oak Street, Grigsby Avenue, Bryan Street, and Annex Avenue
Recommendation of Staff Approval, subject to a development plan and conditions
Recommendation of CPC: ~~Pending the March 27, 2003 meeting~~ Approval
Z023-153 (RB)

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CORRECTIONS: (Continued)

55. An application for a Specific Use Permit for placement of fill material on property zoned an IM Industrial Manufacturing District in the northeast quadrant of Chalk Hill Road and IH 30
Recommendation of Staff: Approval for a period ending December 31, 2005, subject to a site plan and conditions
Recommendation of CPC: ~~Pending the March 27, 2003 meeting~~ Approval
Z023-155 (RB)
65. Authorize the restructuring of the minimum annual guarantee in the advertising concession contract with JCDecaux Airport (formerly Sky Sites) at Dallas Love Field to allow a ~~three year increase in the term of the agreement~~ decrease in the minimum annual guarantee at the same five-year term and adjustments in the number of advertising locations - Revenue: ~~\$2,375,000, from \$7,500,000 to \$9,875,000~~ \$6,750,000

DELETION:

52. An application for and an ordinance granting a Planned Development District for a mixture of uses related to senior retirement housing on property zoned an R-7.5(A) Single Family District on Perryton Drive, west of Hampton Road, and south of Glenfield Avenue
Recommendation of Staff: Approval, subject to a development plan and conditions
Recommendation of CPC: Pending the March 27, 2003 meeting
Z023-143 (MM)