

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
10:00 A.M.**

ADDITIONS:

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize a contract for the construction of streetscape improvements on Field Street from Wood Street to Pacific Avenue; Ervay Street from Young Street to Pacific Avenue; St. Paul Street from Young Street to Bryan Street, and Harwood Street from Young Street to Bryan Street for the Dallas City Center TIF District - Northern Pipeline Construction Company, lowest responsible bidder of five - \$2,780,691 - Financing: City Center TIF District Funds
2. Authorize a contract for the resurfacing of Commerce Street from Industrial Boulevard to Central Expressway and Elm Street from Industrial Boulevard to Akard Street and Pearl Expressway to Hawkins Street - Austin Bridge & Road, LP, lowest responsible bidder of three - \$1,512,178 - Financing: 1995 Bond Funds (\$436,584 to be reimbursed by Dallas County and \$1,075,594 to be reimbursed by the Texas Department of Transportation)
3. Authorize **(1)** a contract for selective demolition and Phase 1 construction of the 1600-1604 Elm Street Building with Nedderman and Associates, lowest responsible bidder of four in an amount not to exceed \$1,011,000, **(2)** a contract for abatement of asbestos and lead based paint at the 1600-1604 Elm Street Building with L. A. Environmental, Inc., lowest responsible bidder of five in an amount not to exceed \$81,650, **(3)** assignment of the construction and abatement contracts to 1600 Elm Street LTD for construction management, and **(4)** payment to 1600 Elm Street LTD in an amount not to exceed \$240,280 for design, reimbursables, and construction management - Total not to exceed \$1,332,930 - Financing: City Center TIF District Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

4. Authorize **(1)** Supplemental Agreement No. 5 to the contract with Thos. S. Byrne, Inc. to provide for signage and graphics for the Latino Cultural Center increasing the Guaranteed Maximum Price in the amount of \$25,000, from \$8,124,060 to \$8,149,060 and the total contract amount in an amount not to exceed \$25,000, from \$8,199,060 to \$8,224,060 and **(2)** an increase in appropriations in the amount of \$25,000 in the Latino Cultural Center Donation Fund - Total not to exceed \$25,000 - Financing: Latino Cultural Center Donation Funds

Construction Miscellaneous

5. Authorize **(1)** the expenditure of TIF Funds for the design and construction of park improvements including playground surfacing and equipment, a walking path, picnic tables and park benches at J. W. Ray Park in Tax Increment Financing Reinvestment Zone Number Two (Cityplace TIF District); and **(2)** the establishment of appropriations in an amount not to exceed \$70,000 in the Cityplace TIF District Fund for the design and construction of the park at J.W. Ray Park - Total not to exceed \$70,000 - Financing: Cityplace TIF District Funds
6. Authorize a development agreement with the Dallas Independent School District for the design and construction of the new Arcadia Park Branch Library to be located at Morocco Avenue and Justin Avenue, adjacent to and constructed in conjunction with the new Arcadia Park Elementary School and at a future date reimbursement will be made to Dallas Independent School District for the payment of the prorated development cost including design and construction of the library - Financing: This action has no cost consideration to the City
7. Authorize a contract for the construction of a perimeter landfill gas control system at the Deepwood Loop 12 Landfill, including installation of an active gas collection trench, temporary flare station, debris relocation and related earthwork - Remedial Construction Services, L.P., lowest responsible bidder of two - \$2,744,500 - Financing: 2003 Certificates of Obligation
8. Authorize a Right of Entry Agreement with Dallas County to access the County's property during the construction of the Trinity River Boat Ramp at Loop 12 - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS

9. An ordinance abandoning a utility easement and a portion of a sanitary sewer easement to Market Place LH Partners, L.P., the abutting owner, containing a total of approximately 7,744 square feet of land located near the intersection of Northwest Highway and Jupiter Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee
10. An ordinance abandoning a sanitary sewer easement to Debra J. Green, the abutting owner, containing approximately 1,235 square feet of land located near the intersection of Woodfin Road and Rockbrook Drive, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee
11. An ordinance authorizing the acquisition of approximately 20,329 square feet of land in exchange for the abandonment of a portion of Mexicana Road to Robert Ward Williams, Angelica M. Saucedo and Julio Garcia, the abutting owners, containing approximately 17,830 square feet of land located near its intersection with Canada Drive, and authorizing the quitclaim - Financing: No cost consideration to the City
12. Declare a tract of City-owned park land containing approximately 638,936 square feet located near the intersection of Morocco Avenue and Goodman Street unwanted and unneeded and authorize its sale to Dallas Independent School District - Revenue: \$217,238
13. An ordinance abandoning portions of Elm and Lamar Streets rights-of-way to Dallas County Community College District, the abutting owner, containing approximately 232 square feet of land located at their intersection and authorizing the quitclaim - Revenue: \$12,594 plus the \$20 ordinance publication fee
14. An ordinance abandoning a portion of a slope easement to Exxon Mobil Corporation, the abutting owner, containing approximately 18,470 square feet of land located near the intersection of IH 30 and North Cockrell Hill Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee
15. An ordinance abandoning a portion of Ingersoll Street to Gary Sayre and Jana Sayre, the abutting owners, containing approximately 10,762 square feet of land located near its intersection with Singleton Boulevard, authorizing the quitclaim and providing for the dedication of approximately 8,625 square feet of land needed for park purposes - Revenue: \$5,000 plus the \$20 ordinance publication fee

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS (Continued)

16. An ordinance **(1)** authorizing the sale of unneeded tracts of City-owned land and, **(2)** abandoning a portion of alley right-of-way to The Housing Authority of the City of Dallas, Texas, the abutting owner, containing a total of approximately 69,042 square feet of land located near the intersection of Hall and Cochran Streets, and authorizing the conveyance and quitclaim - Revenue: \$815,396 plus the \$20 ordinance publication fee
17. Authorize conveyance of an easement and right-of-way containing approximately 1,316 square feet of land to TXU Gas Company for the construction and maintenance of gas utility facilities across City-owned land at the Dallas Executive Airport located near the intersection of Red Bird Lane and Watership Lane - Revenue: \$987

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

18. Authorize an increase in the sixty-month contract with Cingular Wireless, for cellular service and equipment - Not to exceed \$500,000, from \$5,500,000 to \$6,000,000 - Financing: Current Funds

MISCELLANEOUS

19. Authorize settlement of a lawsuit styled Clyde Robert Francis v. City of Dallas, et al., Civil Action No. 3:02-CV-1875-K - \$116,500 - Financing: Current Funds
20. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend, P.C., for additional legal services regarding the claims of Manhattan Construction Company on the Convention Center Expansion project, and any other proceedings relating to the subject matter - Not to exceed \$125,000, from \$15,000 to \$140,000 - Financing: 1998 Convention Center Expansion Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

21. Authorize Supplemental Agreement No. 1 to the professional services contract with The Carter Law Firm, P.C., to provide additional legal services in the lawsuits styled James F. Hill, et al. v. City of Dallas, Cause No. 95-00975-J, Albert, et al. v. City of Dallas, Cause No. 199-697-94, Arrendondo, et al. v. City of Dallas, Cause No. 199-1743-99, Barber, et al. v. City of Dallas, Cause No. 199-624-95, Willis, et al. v. City of Dallas, Cause No. 199-200-95, Martin, et al. v. City of Dallas, Cause No. 1-95-506 and Saucedo-Falls, et al. v. City of Dallas, Cause No. 1-02-780, and any other proceedings relating to the subject matter of the lawsuits - Not to exceed \$250,000, from \$250,000 to \$500,000 - Financing: Current Funds

City Center TIF District

Note: Addendum Item Nos. 22, 23, and 24 must be considered collectively.

22. * Rescind Resolution No. 02-3586 and Resolution No. 02-3587, previously approved on December 11, 2002, authorizing a development agreement and declaring the intent to reimburse GS Renaissance LTD for the funding in an amount to exceed \$3,200,000, of facade, demolition, streetscape and other authorized improvements related to the redevelopment of the Gulf States Building located at 1415 Main Street in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) for the purpose of re-authorizing a development agreement and declaring the intent to reimburse GS Renaissance LTD and release appropriations previously established in Resolution No. 02-3586 in the amount of \$3,200,000 from the City Center TIF District Fund - Financing: No cost consideration to the City
23. * Authorize **(1)** a development agreement with GS Renaissance LTD to provide for the funding of facade, demolition, streetscape and other authorized improvements related to the redevelopment of the Gulf States Building located at 1415 Main Street in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) in an amount not to exceed \$4,666,650; and **(2)** the establishment of appropriations in the amount of \$4,666,650 in the City Center TIF District Fund - Total not to exceed \$4,666,650 - Financing: To be advanced by a private developer and reimbursed from City Center TIF District Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

City Center TIF District (Continued)

Note: Addendum Item Nos. 22, 23, and 24 must be considered collectively.

24. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to reimburse GS Renaissance LTD for funds advanced pursuant to a development agreement with GS Renaissance LTD in an amount not to exceed \$4,666,650 plus interest, for facade improvements, demolition, streetscape and other authorized improvements related to the redevelopment of the Gulf States Building located at 1415 Main Street in the City Center TIF District - \$4,666,650 - Financing: To be advanced by a private developer and reimbursed solely from the City Center TIF District Fund; accrued interest on private funds to be repaid solely from City Center TIF District Funds

25. Authorize a purchase and sale agreement with Dallas Roof Gardens, Inc. for a facade beautification easement on 1217 Main Street, upon completion of the building located in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) and subject to the availability of City Center TIF District Funds in an amount not to exceed \$959,380 and future City Council approval of funding at the time of issuance of Certificate of Occupancy - Financing: City Center TIF District Funds

26. Authorize **(1)** a seven-year parking agreement in an amount not to exceed \$1,614,000 with Central Parking System of Texas, Inc., Parking Operator of the Dalpark Garage, to provide 225 parking spaces for public, short-term parking in the Dalpark Garage located at 1600 Commerce Street in Tax Increment Financing Reinvestment Zone Number Five; **(2)** TIF eligible public improvements in the form of leasehold improvements in an amount not to exceed \$81,000; and **(3)** the collection of parking revenue on a monthly basis for self parking in the Dalpark Garage located at 1600 Commerce Street near the intersection of Commerce and Ervay Streets in Tax Increment Financing Reinvestment Zone Number Five for an estimated amount of \$703,500 over a period of seven years - Total not to exceed \$1,695,000 - Financing: City Center TIF District Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

27. Authorize **(1)** a contract with Simmons National Bank for the sale of Intown Housing Section 108 loans subject to due diligence for the Majestic located at 1900 Elm, Treymore at Cityplace Apartments located at 2101 Haskell, Kirby located at 1509 Main, Eban I located at 2900 Park Row and Deep Ellum located at 3300 Main and, **(2)** negotiations with the next highest responsive proposer should due diligence result in the withdrawal of the first offer - Financing: No cost consideration to the City
28. Authorize a two-year extension of, and increase in the professional services contract with First Southwest Asset Management, Inc. for investment advisory services beginning November 1, 2003 through October 31, 2005 - Not to exceed \$80,000, from \$80,000 to \$160,000 - Financing: Current Funds (subject to annual appropriations)
29. Authorize preparation of plans for issuance of an amount not to exceed \$61,600,000 in General Obligation Refunding Bonds, Series 2003-A - Financing: This action has no cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

30. A resolution imposing a moratorium on the acceptance of applications for and issuance of permits to authorize the attachment or painting of a "wallscape sign" as defined in Section 51A-7.1306 of the Dallas City Code, as amended, if any portion of the sign would be located within 660 feet of the nearest edge of the right-of-way of a federal interstate or primary system highway - Financing: No cost consideration to the City
31. A resolution **(1)** authorizing the Dallas Convention and Visitors Bureau (DCVB) to pursue the bid for the 2008 National League of Cities Conference on behalf of the City of Dallas by offering incentives including complementary facility rental at the Dallas Convention Center; and **(2)** authorizing the DCVB to establish a local host committee or select a meeting planner and/or destination company to complete the sponsorship and fundraising requirements for hosting the conference - Not to exceed \$120,000 - Financing: Convention and Event Services Current Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

32. A resolution consenting to the City of Irving's grant of a rebate incentive for Network Logistics, Inc. to relocate its new central warehouse/distribution facility to Dallas/Fort Worth International Airport (annual revenue is estimated at \$41,050 from estimated nonexempt inventory and other personal and real property tax values; 10-year revenue is estimated at \$410,502; revenue foregone is estimated at \$348,600 over 10 years) - Financing: No cost consideration to the City
33. A resolution declaring approximately 30.4 acres of land unneeded and unwanted for airport purposes and authorizing Dallas/Fort Worth International Airport to advertise the surplus land for sale or exchange at a minimum bid amount of \$3,973,000 through competitive bid - Financing: No cost consideration to the City
34. Approve a Program Statement for the Single-Family Housing Infrastructure Development Bond Program and authorize issuance of a Request for Applications soliciting funding requests for infrastructure development for new mixed income single-family subdivisions, contingent on the availability of future bond proceeds - Financing: No cost consideration to the City
35. Authorize refinancing and restructuring of the two loans with South Dallas Fair Park InnerCity Development Corporation for the Grand Plaza Shopping Center in the original principal amounts of \$610,000 and \$75,000 to **(1)** consolidate the outstanding first lien loan balance of \$593,702 and the second lien line of credit outstanding balance of \$35,082, plus accrued interest; **(2)** provide for a \$10,000 annual principal repayment at 0% interest rate for the first five years following the loan restructuring or until such time as \$150,000 in deferred maintenance improvements is completed, whichever is earlier; **(3)** authorize \$150,000 from cash flow to fund required deferred maintenance improvements; and **(4)** revise terms for 15 years amortization at 2% interest after authorized deferred maintenance is completed or five years, whichever is earlier - Financing: No cost consideration to the City
36. Authorize amendments to the 2003 City Calendar to **(1)** change the City Council meeting start time from 9:00 a.m. to 10:00 a.m. for August through October and **(2)** incorporate changes to the Council Committees and their meeting schedules - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

37. An ordinance denying the requested increase in residential, commercial and industrial rates for natural gas service as provided by TXU Gas Company - Financing: No cost consideration to the City
38. Authorize **(1)** a tender agreement with the American Manufacturers Mutual Insurance Company for the completion of the Park in the Woods Recreation Center located at Mountain Creek Parkway and Wheatland Road, **(2)** the establishment of appropriations in the amount of \$151,539 in the Capital Gifts, Donation and Development Fund, and **(3)** a contract with Hagler Construction Company, Inc. for completion of the Park in the Woods Recreation Center - \$1,533,250 - Financing: 1998 Bond Funds (\$1,381,711) and Capital Gifts, Donation and Development Funds (\$151,539)
39. Authorize a contract for the completion of the Dallas Zoo Restaurant and Main Entry Bridge construction - MetalMan, Inc., best value proposer of two - \$448,691 - Financing: 1998 Bond Funds
40. Authorize a 120-day extension of the moratorium previously approved and effective on February 26, 2003 by Resolution No. 03-0818, freezing the current number of taxicab firms, vehicles, and drivers permitted in the city of Dallas - Financing: No cost consideration to the City
41. Authorize a five-year concession agreement, with two five-year renewal options, with the purchaser, Mitchell Smartt, of the Texas Queen passenger boat, to operate a commercial passenger boat service on Lake Ray Hubbard - Total Estimated Revenue: \$146,520 for five years plus five percent additional fee for any sales over \$540,000 per year, Year 1 (\$24,000); Year 2 (\$26,400); Year 3 (\$29,040); Year 4 (\$31,944); Year 5 (\$35,136)

Reconsideration of Item No. 5, as amended, from the June 18, 2003 City Council Agenda

42. * Reconsideration of an ordinance amending Chapter 45 of the Dallas City Code to revise insurance requirements for taxicabs

If Addendum Item No. 42 is approved, the City Council shall consider Addendum Item No. 43.

43. * An ordinance amending Chapter 45 of the Dallas City Code to revise insurance requirements for taxicabs

**ADDENDUM
CITY COUNCIL MEETING
JUNE 25, 2003**

CORRECTIONS:

56. An application for and an ordinance granting an expansion of and an amendment to Specific Use Permit No. 975 for a Private school on property zoned an R-7.5(A) Single Family District on the southwest corner of Lovers Lane and Fisher Road
Recommendation of Staff: Approval, subject to a site plan and conditions
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods subject to a site plan and conditions
Z023-173(RB)
57. An application for and an ordinance granting a renewal for Specific Use Permit No. 1449 for a Commercial amusement (inside) use limited to a Class A dance hall on property currently zoned a CR Community Retail District, and located on the east line of the Dallas North Tollway, north of Beltline Road
Recommendation of Staff: Approval, for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Recommendation of CPC: ~~Pending June 12, 2003 hearing~~ Approval, for a two-year period, subject to a site plan and conditions
Z023-183 (FD)
68. An application for and an ordinance granting a Specific Use Permit for a Community Service Center on property zoned an R-5(A) Single Family District on Mexicana Road, west of Pluto Street
Recommendation of Staff: Approval, for a period of five years, subject to site plan and conditions
Recommendation of CPC: ~~Pending June 12, 2003 hearing~~ Approval, for a five-year period, subject to a site plan and conditions including modified hours of operation
Z023-228 (MM)

DELETION:

37. Authorize an amendment to Resolution No. 01-3356 previously approved on November 14, 2001, to extend the deadline for obtaining a final certificate of occupancy from August 31, 2003 to May 31, 2004 for State/Worthington Townhomes (Block 575) bounded by State Street, Worthington Street, Clay Alley and Guillot Alley located in Tax Increment Financing Reinvestment Zone Number One (State-Thomas TIF District) - Financing: No cost consideration to the City