

**ADDENDUM  
CITY COUNCIL MEETING  
OCTOBER 22, 2003  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
10:00 A.M.**

ADDITIONS:

Closed Session

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

- Ann Tenison Hereford Webb, et al. v. City of Dallas, et al., Cause No. 3:00-CV-2558-R
- Clower, et al. v. City of Dallas, et al., Cause No. 2002-2355-C

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Performance Evaluation of City Manager Teodoro J. Benavides
- Performance Evaluation of City Attorney Madeleine B. Johnson
- Performance Evaluation of City Secretary Shirley Acy

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

1. Authorize **(1)** a professional services contract with Architexas, Inc. for planning and preliminary design services related to the development of a fire access corridor necessary and convenient to the redevelopment of 1600-1604, 1606, 1608-1610, 1612 and 1614 Elm Street, and 1613-1615 Main Street in an amount not to exceed \$63,000; and **(2)** the establishment of appropriations in the amount of \$63,000 in the City Center TIF District Fund - Total not to exceed \$63,000 - Financing: City Center TIF District Funds

Contract Amendments

2. Authorize **(1)** Supplemental Agreement No. 11 to the contract with Hunt Construction Group, Inc. to increase the Guaranteed Maximum Price in an amount not to exceed \$539,800, from \$50,546,567 to \$51,086,367, increasing the total contract from \$51,700,732 to \$52,240,532, **(2)** a contract for the construction of roadway and storm sewer repairs along the terminal with McMahan Contracting, LP, lowest responsible bidder of four, in an amount not to exceed \$539,800, and **(3)** assignment of the construction contract to Hunt Construction Group, Inc. for construction management - Total not to exceed \$539,800 - Financing: Aviation Capital Construction Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

3. Authorize Supplemental Agreement No. 7 to the contract with Austin Commercial, Inc. to receive payment from the project professional liability insurance policy to perform two additional construction activities for the Convention Center Expansion and Renovation 2002 project - Financing: No additional cost consideration to the City

LAND MISCELLANEOUS

**Dallas Airmotive, Inc. Lease Amendments**

4. \* Authorize a first amendment to Lease No. 1 with Dallas Airmotive, Inc. to provide for two additional ten-year option periods, revise the rent and provide for a percentage rental for two office buildings at Dallas Love Field - Revenue: \$243,974 annually
5. \* Authorize a second amendment to Lease No. 2 with Dallas Airmotive, Inc. to provide for two additional ten-year option periods and begin collecting rent on Hangar A, Hangar A office space, and the associated ground at the prevailing rental rates for similar premises at Dallas Love Field - Revenue: \$87,898 annually
6. Authorize an eighty-four-month lease agreement with LBJ Commerce Center, Inc. for approximately 11,942 square feet of office space located in the Lincoln Commerce Centre Building at 8001 LBJ Freeway, Suite 200, to be used as a Public Health and Women, Infants and Children clinics for the period November 1, 2003 through October 31, 2010 (\$179,130 annually) (two months free rent) - Total not to exceed \$1,224,056 - Financing: Texas Department of Health Grant Funds (\$612,028) (subject to annual appropriations) Current Funds (\$612,028) (subject to annual appropriations)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

7. Authorize a forty-eight-month price agreement for police uniforms, accessories and alterations with the lowest responsible bidders of two - C & G Police Supply dba C & G Wholesale and Flight Suits - Not to exceed \$3,241,634 - Financing: Current Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

8. Authorize Supplemental Agreement No. 7 to the professional services contract with the law firm of Strasburger & Price, L.L.P., for additional legal services necessary in the lawsuit styled City of Dallas v. Transcontinental Realty Investors, Inc., et al, Cause No. cc-99-03125-e, and any other proceedings relating to the subject matter of this litigation - Not to exceed \$100,000, from \$850,000 to \$950,000 - Financing: Funds provided by Hillwood Development Corporation and Center Operating Company, L.P.
9. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Stutzman, Bromberg, Esserman & Plifka, P.C., for additional legal services necessary in the lawsuit styled Ann Tenison Hereford Webb, et al., v. The City of Dallas, Texas, et al., Civil Action No. 3:00-CV-2558-R, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$100,000, from \$200,000 to \$300,000 - Financing: Current Funds
- 10.A resolution extending the 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
- 11.An ordinance amending Chapter 39A of the Dallas City Code to revise the moving expense schedule used for the relocation of displaced individuals and families - Financing: No cost consideration to the City
- 12.Authorize Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for the audit of the City of Dallas' financial operations and grant activities for the fiscal year ending September 30, 2003, to perform an audit of financial operations of the Cityplace Tax Increment Financing district for fiscal years ended September 30, 2000, 2001, and 2002, in connection with the proposed issuance of additional bonds for the Cityplace TIF District - Not to exceed \$42,500, from \$423,000 to \$465,500 - Financing: Cityplace TIF District Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

13. Authorize a contract with Dallas Area Rapid Transit to purchase A-Passes for City employees, at no cost to employees, in support of the City's current clean air initiative - Not to exceed \$199,762 - Financing: Current Funds
14. Authorize the first one-year renewal option to the contract with United Behavioral Health for an Employee Assistance Program to provide referral services for City employees and their families from January 1, 2004 through December 31, 2004 - Not to exceed \$150,000 - Financing: Employee Benefits Current Funds (subject to appropriations)

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

**City Center TIF District**

**Note:** Item Nos. 15 and 16 must be considered collectively.

15. \* A public hearing to receive citizens' comments on amendments to the Project Plan and Reinvestment Zone Financing Plan (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 decrease the City Center TIF District Plan budget from \$108,900,943 to \$96,400,943 and release \$12,500,000 of City Center TIF District funds to the participating taxing jurisdictions, 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

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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Note:** Item Nos. 15 and 16 must be considered collectively.

**City Center TIF District** (Continued)

- 16.\* An ordinance amending Ordinance Nos. 22802 and 23034 to amend the Project Plan and Reinvestment Financing Plan (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 decrease the City Center TIF District Plan budget from \$108,900,943 to \$96,400,943 and release \$12,500,000 of City Center TIF District funds to the participating taxing jurisdictions, 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 - \$12,500,000 - Financing: City Center TIF District Funds (\$10,000,000 to be transferred to the Public/Private Partnership Fund and \$2,500,000 disbursed to Dallas County)
- 17.\* Authorize the establishment of the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code to be administered by the City of Dallas - Economic Development Division to promote economic development and to stimulate business and commercial activity within the downtown retail core area - Financing: No cost consideration to the City
- 18.\* Authorize an Interlocal Agreement with Dallas County for the acceptance of \$2,500,000 from Dallas County and setting the terms related to the City of Dallas' administration of Dallas County funds to be used to make a loan needed to facilitate public, short-term parking in a new parking garage to be located at 1407 Main Street in the City of Dallas Main Street District Initiative Loan and Grant Program area - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**City Center TIF District** (Continued)

- 19.\* Authorize **(1)** a loan agreement with Downtown Renaissance, LP, in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Governmental Code, in an amount not to exceed 75% of the total cost of the Davis Lot Garage (Project) (including land acquisition) in accordance with the approved budget for the Project; or \$10,000,000, whichever is less; and **(2)** disbursal of the loan and establishment of a loan receivable in an amount not to exceed \$10,000,000 in the Public/Private Partnership Fund - Total not to exceed \$10,000,000 - Financing: Public/Private Partnership Funds
  
- 20.\* Authorize a professional services contract with Stutzman, Bromberg, Esserman & Plifka for legal work relating to the preparation and negotiation of a construction loan in an amount equal to up to 75 percent of the total cost for a mixed-use development project located at 1407 Main Street (Davis Lot), preparation and negotiation of deed restrictions, review of, and suggested revision to, a management contract with the operator of the public portion of the parking garage and the parking garage ground lease (or easement) for the underground portion of the parking garage, and miscellaneous services related to 1407 Main Street (Davis Lot) in the Reinvestment Zone Number Five City Center TIF District - Not to exceed \$45,000 - Financing: City Center TIF District Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

21. Authorize an amendment to Resolution No. 01-3361, previously approved on November 14, 2001, to extend the deadline for which projects must be brought before the City Council from November 14, 2003 to November 14, 2005 on real property located in City of Dallas Enterprise Zone One within Pinnacle Park - Financing: No cost consideration to the City
  
22. Authorize proposed Procedural Order No. 03-2-1-JR related to the posting of bail bonds by attorneys and the manner of taking a forfeiture of such bonds in the City of Dallas Municipal Court - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

23. A resolution requesting the United States Congress to designate March 31 as a national holiday in honor of Cesar E. Chavez (Mayor Miller, Mayor Pro Tem Loza, Deputy Mayor Pro Tem Hill and Councilmembers Chaney, Griffith, Blaydes, Rasansky, Oakley, Finkelman, Lill, Salazar, Garcia, Thornton-Reese, Fantroy, and Greyson)
24. Authorize **(1)** adoption of the preliminary FY 2003-04 Consolidated Plan Reprogramming Budget #2 in the amount of \$1,056,926 and **(2)** a public hearing to be held on November 12, 2003 to receive citizens' comments on the proposed use of funds - Financing: No cost consideration to the City
25. A resolution substituting Fitzhugh Avenue (north & south) from Santa Fe Avenue to Ross Avenue; Fitzhugh Avenue (north) from Deere Street to Capitol Avenue; Fitzhugh Avenue from Ross Avenue to Deere Street; and \$419,363 of infrastructure improvements related to Public/Private Partnership in Council District 7 to be used for the proposed Ferguson Initiatives for the Industrial Boulevard (north) from Commerce Street to Irving Boulevard project in the first year of the implementation of the 2003 Bond Program - Financing: No cost consideration to the City

CORRECTIONS:

33. Authorize a twelve-month ~~professional~~ personal services contract with Uriah Elion, Jr. as Studio Manager of the South Dallas Cultural Center to coordinate all activities in the studio lab - Not to exceed \$34,000 - Financing: Current Funds
45. An application for a Planned Development District for RS MU-E Regional Service Mixed Use (Enhanced) Uses on property zoned an RS-MU Regional Service Mixed Use Subdistrict and an RS-MU(E) Regional Service Mixed Use (Enhanced) Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on Third Avenue between R. L. Thornton Freeway and Ash Lane  
Recommendation of Staff: Approval subject to a revised development plan and conditions  
Recommendation of CPC: Pending the October 16, 2003 City Plan Commission public hearing Approval, subject to a development/landscape plan and conditions Z023-264 (RB)

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CORRECTIONS: (Continued)

50. An application for and an ordinance granting a Planned Development District for a Private recreation center, club, or area limited to an athletic facility and related structures and R-7.5(A) Single Family District Uses on property zoned an R-7.5(A) Single Family District and an A(A) Agricultural District on the west line of Polk Street, south of IH 20  
Recommendation of Staff: Approval subject to a development plan, landscape plan and conditions  
Recommendation of CPC: Approval subject to development plan, landscape plan, free site mitigation exhibit and conditions  
Z023-216 (RB)

DELETION:

41. An application for and ordinances granting a Planned Development District for a private school and MU-3 Mixed Use District uses and the termination of Specific Use Permit No. 1471 on property zoned an MU-3 Mixed Use District on Merit Drive between Clodus Fields Drive and Churchill Way  
Recommendation of Staff: Approval of a Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions  
Recommendation of CPC: Pending, October 16, 2003 CPC meeting  
Z023-276 (WE)