

AGENDA
CITY COUNCIL MEETING
FEBRUARY 12, 2003
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) **[03-0580]**

Agenda Item/Open Microphone Speakers **[03-0581]**

VOTING AGENDA

1. Approval of Minutes of the January 22, 2003 City Council Meeting **[03-0582; APPROVED AS CORRECTED]**

CONSENT AGENDA **[03-0583]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Half Associates, Inc. to provide engineering services for the replacement of water and wastewater mains in various locations (list attached) - \$988,680 - Financing: Water Utilities Capital Improvement Funds **[03-0584; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Engineering and Architectural Contracts (Continued)

3. Authorize a professional services contract with Lopez Garcia Group to provide engineering services for the replacement of water and wastewater mains in various locations (list attached) - \$917,620 - Financing: Water Utilities Capital Improvement Funds **[03-0585; APPROVED AS AN INDIVIDUAL ITEM]**

Authorization of Contracts

4. Authorize a contract for roof replacement, Phase 1, at the J. Erik Jonsson Central Library - Anchor Roofing Systems, Ltd., lowest responsible bidder of seven - \$255,000 - Financing: Capital Construction Funds (\$150,000), General Capital Reserve Funds (\$105,000) **[03-0586; APPROVED]**
5. Authorize **(1)** a contract for the exterior building restoration and front plaza restoration for the Magnolia Lounge at Fair Park and **(2)** an increase in appropriations in the amount of \$135,000 in State Fair of Texas Capital Construction Funds - Phoenix 1 Restoration and Construction, Ltd., lowest responsible bidder of six - \$364,725 - Financing: State Fair of Texas Capital Construction Funds **[03-0587; APPROVED]**
6. Authorize a contract for the construction of barrier free ramp improvements (list attached) - Roadway Engineering & Construction, Inc., lowest responsible bidder of nine - \$266,682 - Financing: Capital Assessments Funds (\$258,207), Water Utilities Capital Construction Funds (\$8,475) **[03-0588; APPROVED]**
7. Authorize **(1)** a contract for the renovation and expansion of the existing Audelia Road Branch Library located at 10045 Audelia Road with Harrison Quality Construction, Inc., lowest responsible bidder of three in an amount not to exceed \$1,533,972, and **(2)** a contract for the installation of new library shelving with Vance Hunt & Associates, Inc., dba L. B. Interiors, lowest responsible bidder of two in an amount not to exceed \$77,006 - Total not to exceed \$1,610,978 - Financing: 1998 Bond Funds **[03-0589; APPROVED]**
8. Authorize **(1)** a contract for the renovation of the existing Dallas West Branch Library located at 2332 Singleton Boulevard with Tegrus Construction Company, Inc., lowest responsible bidder of two in an amount not to exceed \$1,170,572, and **(2)** a contract for the installation of new library shelving with Vance Hunt & Associates, Inc., dba L. B. Interiors, lowest responsible bidder of two in an amount not to exceed \$31,405 - Total not to exceed \$1,201,977 - Financing: 1998 Bond Funds **[03-0590; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

Note: Item Nos. 9 and 10 must be considered collectively.

Mockingbird Lane Streetscape

9. * Authorize a contract for the construction of the streetscape and pedestrian enhancements on Mockingbird Lane from the west city limit near Airline Drive to Matilda Street - Integrated Roadway Services, Inc., lowest responsible bidder of four - \$557,760 - Financing: 1998 Bond Funds (\$446,208 to be reimbursed by the Texas Department of Transportation) **[03-0591; APPROVED]**
10. * Authorize payment to the Texas Department of Transportation for the City's share of the state construction oversight costs associated with streetscape and pedestrian enhancements on Mockingbird Lane from the west city limit near Airline Drive to Matilda Street - \$6,650 - Financing: 1998 Bond Funds **[03-0592; APPROVED]**

Bachman Water Treatment Plant Improvements and Expansion

Note: Item Nos. 11, 12, and 13 must be considered collectively.

11. * Authorize **(1)** a contract for construction of the Bachman Water Treatment Plant sedimentation basin and upgrade of the plant's electrical system improvements and **(2)** the establishment of appropriations in the amount of \$50,000,000 for the January 15, 2003, revenue bond sale for the 2003 Water System Improvement Fund and 2003 Wastewater System Improvement Fund - Archer-Western Contractors, Ltd., lowest responsible bidder of five - \$12,437,000 - Financing: Water Utilities Bond Funds **[03-0593; APPROVED]**
12. * Authorize a contract for construction of the Bachman Water Treatment Plant Raw Water Pump Station - BAR Constructors, Inc., lowest responsible bidder of four - \$15,373,482 - Financing: Water Utilities Bond Funds **[03-0594; APPROVED]**
13. * Authorize a contract for construction of the Bachman Water Treatment Plant raw water pipeline - Oscar Renda Contracting, Inc., lowest responsible bidder of nine - \$6,175,777 - Financing: Water Utilities Bond Funds **[03-0595; APPROVED]**

Contract Amendments

14. Authorize an increase in the contract with Thos. S. Byrne, Inc. for roadway modifications, protection plates for stand pipes and downspouts, a credit for deleting the original signage package, cleanout of an existing sanitary sewer pipe, and modifications to air handler units for the Love Field Parking Garage Expansion - \$127,031, from \$41,186,795 to \$41,313,826, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[03-0596; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

15. Authorize Supplemental Agreement No. 1 to the professional services contract with Montgomery Watson Harza, Inc. to perform a leak detection survey and to provide training to Dallas Water Utilities personnel in leak detection procedures - \$136,000, from \$998,000 to \$1,134,000 - Financing: Water Utilities Capital Construction Funds **[03-0597; APPROVED AS AN INDIVIDUAL ITEM]**

Construction Miscellaneous

16. Authorize **(1)** acceptance of a reimbursable matching grant from Collin County in an amount not to exceed \$480,750, and **(2)** an Interlocal Agreement for the design and construction of a northern extension of the Preston Ridge Trail - Financing: No cost consideration to the City **[03-0598; APPROVED]**

LAND ACQUISITION

17. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Camp Wisdom/Bainbridge 43 Joint Venture of approximately 22,019 square feet of land located near the intersection of Bainbridge Drive and Meadowstone Lane for Bainbridge Drive street improvements - \$23,120 - Financing: 1998 Bond Funds **[03-0599; APPROVED]**
18. Authorize settlement in lieu of proceeding further with condemnation of Trinity Gateway Joint Venture of 2 vacant tracts of land containing approximately 6,337 square feet for the Colorado Boulevard Paving Improvement Project located near the intersection of Colorado and Jefferson Boulevards - \$30,500 - Financing: 1995 Bond Funds **[03-0600; APPROVED]**

LAND MISCELLANEOUS

19. Authorize a thirty-year primary term lease, plus two five-year renewal options, with Love Partners, Inc. for approximately 3.15 acres of land improved with an aircraft hangar and ramp area at Dallas Love Field - Estimated Revenue: \$63,095 annually **[03-0601; APPROVED AS AN INDIVIDUAL ITEM]**
20. Authorize a thirty-year lease agreement, plus two five-year renewal options, with J.C. Aviation Investments, Inc. for approximately 40,000 square feet of unimproved land at Dallas Executive Airport - Estimated Revenue: \$5,200 annually **[03-0602; APPROVED]**
21. Authorize conveyance of an easement and right-of-way to Oncor Electric Delivery Company, containing approximately 4,030 square feet of land for maintenance of electrical transmission, distribution and communication systems on City-owned land at the McCommas Bluff Landfill located near the intersection of South Central Expressway and Youngblood Road - Financing: No cost consideration to the City **[03-0603; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

22. Declare a vacant City-owned lot containing approximately 12,600 square feet of land located at 5100 Columbia Avenue unwanted and unneeded and authorize its private sale through the Land Transfer Program to MKM Homes, Inc. for the development of affordable housing - Revenue: \$1,678 **[03-0604; APPROVED AS AN INDIVIDUAL ITEM]**
23. An ordinance abandoning a sanitary sewer easement to Worthing on Live Oak, L.P., the abutting owner, containing approximately 662 square feet of land located near the intersection of North Peak and Bryan Streets, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-0605; ORDINANCE 25173; APPROVED AS AN INDIVIDUAL ITEM]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

24. Authorize a twelve-month price agreement for truck bodies and trailers with the lowest responsible bidders of eight - B & C Body Company, Division of East Texas Mack Sales L.P. and Equipment Southwest, Inc. - Not to exceed \$885,927 - Financing: Current Funds (\$696,210), 2002 Equipment Acquisition Contractual Obligation Notes (\$189,717) **[03-0606; APPROVED AS AN INDIVIDUAL ITEM]**
25. Authorize a thirty-six-month price agreement for after-market automotive parts to be used in the maintenance and repair of the City's fleet of cars and light trucks with the lowest responsible bidders of fifteen - TruckPro, Inc., Robertson Fleet Service, Installer Sales & Service, Inc., Midway Auto Supply, Inc., Stuart Hose & Pipe Co., O'Reilly Auto Parts, Genuine Parts Co.-NAPA Auto Parts, Omega Environmental Technologies and Johnson Industries, Inc. - Not to exceed \$2,077,008 - Financing: Current Funds (\$2,003,145) and Water Utilities Current Funds (\$73,863) **[03-0607; APPROVED]**
26. Authorize a thirty-six-month price agreement for Elkhart, Akron and Snaptite parts for emergency fire apparatus with the lowest responsible bidder of three - Dooley Tackaberry, Inc. - Not to exceed \$150,000 - Financing: Current Funds **[03-0608; APPROVED]**
27. Authorize a contract for moving services to move the Dallas Police Department into the new Jack Evans Police Headquarters with the best value bidders of seven - Move Solutions, LTD. and Hercules Relocation, Inc. - Not to exceed \$126,164 - Financing: Current Funds **[03-0609; APPROVED AS AN INDIVIDUAL ITEM]**
28. Authorize a twenty-four-month price agreement for wood shavings for horse stalls with the lowest responsible bidder of four - Fleming Hardwoods - Not to exceed \$253,500 - Financing: Current Funds **[03-0610; DEFERRED UNTIL 02/26/03]**
29. Authorize a thirty-six-month price agreement for powdered activated carbon with the lowest responsible bidder of six - Thatcher Company of Arizona - Not to exceed \$2,592,000 - Financing: Water Utilities Current Funds **[03-0611; DEFERRED UNTIL 02/26/03]**

MISCELLANEOUS

30. An ordinance amending Chapter 6 of the Dallas City Code to make the City of Dallas' alcoholic beverage regulations consistent with state law; amend the definition of Dallas Central Area; prohibit the sale of alcoholic beverages within 300 feet of a private school, with certain exceptions; prohibit the sale of alcoholic beverages within 1,000 feet of certain private schools, with certain exceptions; prohibit the sale of alcoholic beverages within 300 feet of a day-care center or child-care facility, with certain exceptions; provide for the measurement of distances; prohibit variances from the distance requirements; and prohibit possession of an open container or the consumption of an alcoholic beverage within 1,000 feet of a public or private school, with certain defenses - Financing: No cost consideration to the City **[03-0612; ORDINANCE 25174; APPROVED AS AMENDED]**
31. A resolution accepting the FY 2001-02 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number One, City of Dallas, Texas (State-Thomas TIF District) submitted by the State-Thomas TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0613; APPROVED]**
32. A resolution accepting the FY 2001-02 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, City of Dallas, Texas (Cityplace Area TIF District) submitted by the Cityplace TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0614; APPROVED]**
33. A resolution accepting the FY 2001-02 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Three, City of Dallas, Texas (Oak Cliff Gateway TIF District) submitted by Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0615; APPROVED]**
34. A resolution accepting the FY 2001-02 Annual Report on the financial status of Tax Increment Financing Reinvestment Zone Number Four, City of Dallas, Texas (Cedars TIF District) submitted by Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions, which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0616; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

35. A resolution accepting the FY 2001-02 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0617; APPROVED]**
36. A resolution accepting the FY 2001-02 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, City of Dallas, Texas (Farmers Market TIF District) submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the other taxing jurisdictions that participate in the District, and to the Attorney General, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0618; APPROVED]**
37. A resolution accepting the FY 2001-02 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas (Sports Arena TIF District) submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing units which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[03-0619; APPROVED]**
38. Authorize an amendment to the tax abatement agreement previously approved by Resolution No. 03-1229 on April 10, 2002 to reflect a name change from Heritage Farms, LLC. to Heritage Farms of California, LLC. for the development of a vegetable processing/distribution facility located at Pinnacle Park within City of Dallas Enterprise Zone One at the northwest corner of Davis St. and Cockrell Hill Road in Dallas, Texas - Financing: No cost consideration to the City **[03-0620; APPROVED]**
39. An ordinance granting a P Parking Subdistrict and a resolution accepting deed restrictions volunteered by the applicant on property zoned an O-1 Office-1 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west side of Buena Vista Street south of Fitzhugh Avenue Z012-193(MF) - Financing: No cost consideration to the City **[03-0621; ORDINANCE 25175; APPROVED]**
40. Authorize the continued membership for a second procurement term in the Texas Conference of Urban Counties Aggregation Project a/k/a Public Power Pool and amend the bylaws as recommended by the Board of Directors of Public Power Pool - Financing: No cost consideration to the City **[03-0622; APPROVED AS AMENDED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

41. Authorize a thirty-six-month extension of the contract with the Texas Department of Health to continue to provide on-line services to the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of \$1.83 for each birth certificate printed for the period October 1, 2002 through September 30, 2005 - Total estimated cost is \$300,000 over the thirty-six-month period - Financing: Current Funds (subject to annual appropriations) **[03-0623; APPROVED]**
42. Authorize **(1)** the acceptance of grant funds from the Texas Commission on Environmental Quality to provide air pollution control services for the period September 1, 2002 through August 31, 2003, **(2)** a local match in the amount of \$252,994, and **(3)** execution of the grant agreement - \$766,650 - Financing: Texas Commission on Environmental Quality Grant Funds (\$513,656) and Current Funds (\$252,994) **[03-0624; APPROVED]**
43. Authorize **(1)** application for and the acceptance of grant funds from the Office of the Governor, Criminal Justice Division, Youth Empowerment Program to continue the efforts of the City's Juvenile Delinquency Prevention initiative for the period September 1, 2003 through August 31, 2004, and **(2)** execution of the grant agreement - Not to exceed \$101,150 - Financing: Office of the Governor Criminal Justice Division Grant Funds (subject to annual appropriations) **[03-0625; APPROVED]**
44. Authorize **(1)** application for and the acceptance of grant funds from the Texas Commission on Alcohol and Drug Abuse for the provision of substance abuse prevention activities for youth and families for the period December 1, 2002 through August 31, 2003, and **(2)** execution of the grant agreement - Not to exceed \$84,959 - Financing: Texas Commission on Alcohol and Drug Abuse Grant Funds **[03-0626; APPROVED]**
45. Authorize Supplemental Agreement No. 1 to the contract with Johnnie's Manor, Inc. to extend the term of the contract through December 31, 2003 to complete construction at 300 Creek Cove - Financing: No cost consideration to the City **[03-0627; APPROVED]**
46. Authorize Supplemental Agreement No. 1 to the contract with Legacy Counseling Center, Inc. to extend the term of the contract through December 31, 2003 to complete renovations at 828 South Tyler Street - Financing: No cost consideration to the City **[03-0628; APPROVED]**
47. Authorize the acceptance of equipment, training, and expendables from the U.S. Department of Health & Human Services, Centers for Disease Control and Prevention to enhance the capability of responding to a variety of hazardous material-type incidents - Financing: No cost consideration to the City **[03-0629; APPROVED]**
48. Authorize adoption of the City's Federal Legislative Agenda for the 108th Congress as recommended by the Legislative Affairs Committee - Financing: No cost consideration to the City **[03-0630; APPROVED AS AMENDED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

49. Authorize two-year extensions to the contracts with Ed Campbell Company for food and beverage concession services at Fair Park: Food and Fiber Pavilion from May 9, 2003 through May 8, 2005; Bandshell from May 9, 2003 through May 8, 2005; and Coliseum from May 23, 2003 through May 22, 2005 - Estimated Revenue: \$16,139 annually **[03-0631; APPROVED]**
50. Authorize two-year extensions to the contract with Ed Campbell Company for continued operation of the Old Mill Restaurant at Fair Park from February 12, 2003 through February 11, 2005 - Estimated Revenue: \$13,006 annually **[03-0632; APPROVED]**
51. Authorize a two-year contract with Ed Campbell Company to provide food and beverage concession services at the Cotton Bowl Stadium at Fair Park from May 22, 2003 to May 21, 2005 - Estimated Revenue: \$161,648 annually **[03-0633; APPROVED]**
52. Authorize participation with Dallas County in a collaborative effort to submit a consolidated application, with Dallas County as the lead agency, for and acceptance of the 2003-03 Juvenile Accountability Incentive Block Grant to further develop and provide enhancements to an integrated data processing system from the Office of the Governor, Criminal Justice Division, and execution of the grant agreement, waiver of application and memorandum of understanding with all participating jurisdictions - \$818,478 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$736,630) and Current Funds (\$81,848) **[03-0634; APPROVED]**
53. Authorize an Interlocal Agreement with the North Central Texas Council of Governments for the acquisition of six-inch resolution digital orthophotos for the City of Dallas and its jurisdictional areas - \$79,266 - Financing: Current Funds **[03-0635; APPROVED]**
54. Authorize payment to North Central Texas Council of Governments for Dallas' participation in the development of a comprehensive drainage criteria and design manual for use in both municipal engineering and private development - \$57,480 - Current Funds (to be reimbursed by Storm Water Drainage Management Funds) **[03-0636; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT [03-0674]

55. An application for and ordinances granting the termination of Specific Use Permit No. 370 for a private community center, day care center, and mission station and the creation of a new Specific Use Permit for a child care facility on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of the intersection of Leland Avenue and Warburg Street
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
Z023-105 (MF) **[03-0637; ORDINANCE 25176; APPROVED AS CORRECTED ON THE ADDENDUM]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

56. An application for and an ordinance granting amendments to and expansion of Subarea 11 within Planned Development District No. 298, the Bryan Area Special Purpose District, on the north corner of the intersection of Hall Street and Swiss Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z023-110 (MF) [03-0638; **ORDINANCE 25177; CPC RECOMMENDATION FOLLOWED**]
57. An application for a Planned Development District for a Mini-warehouse and MC-1 Multiple Commercial District Uses on property zoned an MC-1 Multiple Commercial District on the south side of McCallum Boulevard southeast of Preston Road and an ordinance granting a Specific Use Permit for a Mini-warehouse use
Recommendation of Staff and CPC: Denial of a Planned Development District for a Mini-warehouse use and MC-1 Multiple Commercial District Uses, and approval of a Specific Use Permit for a Mini-warehouse use for a fifteen-year period with eligibility for automatic renewal for additional fifteen-year periods, subject to a site plan, landscape plan, elevation, and conditions
Z023-116(RB) [03-0639; **POSTPONED UNTIL 02/26/03; HEARING OPEN**]
58. An application for and an ordinance granting an RR Regional Retail District on property zoned an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on the south side of LBJ Freeway, east of Greenville Avenue
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z023-119 (MF) [03-0640; **ORDINANCE 25178; CPC RECOMMENDATION FOLLOWED**]
59. An application for an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District at the northwest corner of Harlandale Avenue and Saner Avenue with consideration given to a P(A) Parking District on the portion fronting on Saner Avenue with retention of the TH-3(A) Townhouse District on the remaining portion and a Specific Use Permit for a convent and ordinances granting a Specific Use Permit for a convent, a P(A) Parking District on the north side of the convent and a P(A) Parking District on the south side of the convent
Recommendation of Staff and CPC: Denial of an NS(A) Neighborhood Service District and approval of a Specific Use Permit for a convent for a permanent time period subject to a site plan and conditions and approval of a P(A) Parking District on the north side of the convent, subject to a site plan and a P(A) Parking District on the south side of the convent, subject to a site plan
Z023-122 (WE) [03-0641; **ORDINANCE 25179, 25180 AND 25181; CPC RECOMMENDATION FOLLOWED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

60. An application for and an ordinance granting an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District on the west side of Garden Grove Road between South Belt Line Road and Hunterwood Drive
Recommendation of Staff and CPC: Approval
Z023-124 (WE) [03-0642; ORDINANCE 25182; CPC RECOMMENDATION FOLLOWED]
61. An application for and an ordinance granting an amendment to Specific Use Permit No. 1371 for a Private school and Child-care facility on property located at the southeast corner of Ann Arbor Avenue and R. L. Thornton Freeway
Recommendation of Staff and CPC: Approval
Z023-126(RB) [03-0643; ORDINANCE 25183; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

62. An application for and an ordinance granting an RR Regional Retail District on property zoned an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on the north side of Stemmons Freeway, west of Inwood Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z012-302 (WE) [03-0644; ORDINANCE 25184; CPC RECOMMENDATION FOLLOWED]

ITEMS FOR INDIVIDUAL CONSIDERATION

63. 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) **[03-0645; APPOINTMENTS MADE TO BOARDS]**

Note: Item Nos. 64, 65, 66, 67, and 68 must be considered collectively.

May 3, 2003 Election

64. * An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 3, 2003, for the purpose of electing the Mayor and 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 for the term beginning June 9, 2003 - Financing: This action has no cost consideration to the City **[03-0646; ORDINANCE 25185; APPROVED]**
65. * An ordinance ordering a special election to be held in the City of Dallas on Saturday, May 3, 2003, for the purpose of authorizing general obligation bonds by the qualified voters of the City for funding permanent public improvements - Financing: This action has no cost consideration to the City **[03-0647; ORDINANCE 25186; APPROVED AS AMENDED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

May 3, 2003 Election (Continued)

Note: Item Nos. 64, 65, 66, 67, and 68 must be considered collectively.

66. * A resolution authorizing **(1)** a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas, Collin, and Denton Counties, for the conduct of a joint election to be held on Saturday, May 3, 2003; **(2)** an extension of the agreement for a runoff election, if necessary, to be held on Saturday, May 31, 2003 - \$687,500 - Financing: Current Funds **[03-0648; APPROVED]**
67. * A resolution approving the appointment of citizens to serve as election judges for the May 3, 2003 joint election and the May 31, 2003 runoff election, if necessary - Financing: This action has no cost consideration to the City **[03-0649; APPROVED]**
68. * A resolution authorizing the Mayor to appoint an ad hoc City Council canvassing committee to review the returns of the May 3, 2003, general election and a special election, and submit a canvass report to the full City Council on Wednesday, May 7, 2003 - Financing: This action has no cost consideration to the City **[03-0650; APPOINTED COUNCILMEMBERS GARCIA, FINKELMAN AND GREYSON]**
69. Authorize a twelve-month time extension (as recommended by the City Council's Housing and Neighborhood Development Committee) for Community Development Block Grant projects which have not met the City's twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City **[03-0651; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

Frankford Road at Hillcrest Road

Note: Item Nos. 70 and 71 must be considered collectively.

70. * Authorize a professional services contract with Dal-Tech Engineering, Inc. to provide engineering services for paving and drainage improvements to the intersection of Frankford Road at Hillcrest Road - \$95,640 - Financing: Capital Projects Reimbursement Funds (to be advanced by Collin County) **[03-0652; APPROVED]**
71. * Authorize **(1)** an Interlocal Agreement with Collin County for engineering services, right-of-way acquisition, and construction of paving and drainage improvements to the intersection of Frankford Road at Hillcrest Road, and **(2)** an increase in appropriations in the amount of \$260,000 in the Capital Projects Reimbursement Fund - Financing: No cost consideration to the City (\$520,000 to be advanced by Collin County for design, right-of-way acquisition, and construction) **[03-0653; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

72. Authorize **(1)** an Interlocal Agreement with Collin County for engineering services and construction of paving improvements on Trinity Mills Road from Midway Road to Dallas North Tollway and **(2)** the establishment of appropriations in the amount of \$1,242,000 in the Capital Projects Reimbursement Fund - Financing: No cost consideration to the City (\$1,242,000 to be advanced by Collin County for design and construction) **[03-0654; APPROVED]**

73. An ordinance granting an R-10(A) Single Family District and a CR Community Retail District with retention of the D Dry Overlay and a resolution accepting deed restrictions volunteered by the applicant on property on the southwest side of Seagoville Road at Interstate Highway 20 Z012-270(WE) - Financing: No cost consideration to the City **[03-0655; ORDINANCE 25187; APPROVED]**

74. Authorize the City of Dallas Housing Finance Corporation to amend its Multifamily Program policy guidelines with respect to tax-exempt bond financing for multifamily housing projects will focus on multifamily housing projects involving: **(1)** rehabilitation or replacement; **(2)** new senior developments; **(3)** new construction in targeted distressed neighborhoods (as defined by the City Council from time to time); **(4)** Community Housing Development Organization initiated projects; and **(5)** new construction of affordable family housing outside of targeted areas where the developer receives tax-exempt bond financing under the State of Texas Private Activity Bond Cap and provides evidence of both neighborhood support for the project as well as on-going participation by the community in project planning and development oversight - Financing: No cost consideration to the City **[03-0656; POSTPONED UNTIL 03/26/03]**

ADDENDUM

ADDITIONS:

Closed Session **[03-0657; CLOSED SESSION HELD]**

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

- Legal issues involving telephone contract between the City of Dallas and SBC
- Legal issues involving Convention Center expansion construction contract
- City of Dallas v. TP-Town Plaza II, L.P.; Carlos Espinosa RCGP, LLC; WAK/TPRO, L.P. (a.k.a WAK/TPRO LTD.); WAK/TPRO Holdings, Inc.; Renaissance Investments, Inc. (a.k.a DEC Partners); Bank One, Texas, N.A.; Frank S. Owen; and Carlos Espinosa, Cause No. 01-4531
- Charles Sylvie v. City of Dallas, Ted Kilpatrick, Michael Rickman and Gary Fox, Civil Action No. 3:01-CV-1549-K
- Avitar Global, Inc. v. City of Dallas, Cause No. 01-10883-G
- City of Dallas v. 4701 Meadow, Inc., Cause No. 03-05087
- City of Dallas v. John K. Baker, et al., Cause No. DV-99-02619-M
- James F. Hill, et al. v. City of Dallas, Cause No. 95-00975J
- Loretta Anderson v. City of Dallas, Civil Action No. 3:01-CV-0861-R

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize a contract for site improvements including playground replacement, site furnishings and landscaping at St. Francis Park - ICE Contractors, Inc., lowest responsible bidder of eight - \$73,161 - Financing: 1998 Bond Funds **[03-0658; APPROVED]**
2. Authorize **(1)** a contract for the facade improvements related to the Thompson Building at 1520-1522 Main Street with Nedderman and Associates, lowest responsible bidder of two, in an amount not to exceed \$1,698,900, **(2)** assignment of the construction contract to Main Street Investors Joint Venture for construction management, **(3)** payment to Main Street Investors Joint Venture in an amount not to exceed \$80,160 for design, reimbursables and construction management, and **(4)** an increase in appropriations in the amount of \$410,611 in the City Center TIF District Fund - Total not to exceed \$1,779,060 - Financing: City Center TIF District Funds (\$986,305), Private Funds (\$792,755) **[03-0659; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

3. Authorize an increase in the contract with Alshall Construction Company for renovation of the fitness room at Martin Luther King Jr. Recreation Center and painting of the Chimpanzee Holding Building at Dallas Zoo - \$173,741, from \$1,996,619 to \$2,170,360 - Financing: 1998 Bond Funds (\$140,357) and Dallas Zoo Trust Funds (\$33,384) **[03-0660; APPROVED]**

LAND MISCELLANEOUS

4. An ordinance abandoning sanitary sewer easements and a utility easement to Ben E. Keith Company, the abutting owner, containing approximately 20,620 square feet of land located near the intersection of Record Crossing Road and Wyche Boulevard, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-0661; ORDINANCE 25188; APPROVED]**
5. An ordinance abandoning a portion of Monarch Avenue right-of-way to Robert Bellamy, the abutting owner, containing approximately 668 square feet of land located near the intersection of Monarch and Prairie Avenues, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-0662; ORDINANCE 25189; APPROVED]**
6. Authorize the conveyance of a wastewater easement containing approximately 30,239 square feet of land to the City of Rowlett for the construction and maintenance of a wastewater main across City-owned land at Lake Ray Hubbard in the City of Rowlett located near the intersection of Liberty Grove and Merritt Roads - Financing: No cost consideration to the City **[03-0663; APPROVED]**

MISCELLANEOUS

7. Authorize an agreement with the World Affairs Council of Greater Dallas for services related to protocol activities for the period March 1, 2003 through February 29, 2004 - Not to exceed \$206,837 - Financing: Current Funds **[03-0664; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

8. Authorize **(1)** the acceptance of a grant from the International Association of Black Professional Fire Fighters for the enhancement of the Dallas Fire Department's Fire Prevention programs and Juvenile Firesetter program and **(2)** the establishment of appropriations in the amount of \$25,000 in the Professional Association of Black Fire Fighters Fund - Not to exceed \$25,000 - Financing: International Association of Black Professional Fire Fighters Grant Funds **[03-0665; APPROVED]**
9. Authorize **(1)** an amendment to Resolution No. 03-3589 previously approved on December 11, 2002, which established the Affordable Housing Cost Participation Program and increased the maximum rebate under the Developer Fee Program to make these actions retroactive for all projects for which the contractor received a building permit to construct a new affordable single-family home for sale to a qualified household and paid City development fees after September 30, 2002; and **(2)** amendments to the Program Statement for the Affordable Housing Cost Participation Program to provide clarification and consistency to the language - Financing: No cost consideration to the City **[03-0666; APPROVED]**
10. Authorize the defeasance, consistent with the intent of Ordinance No. 25137 previously approved on December 11, 2002, with Dallas Water Utilities funds of City of Dallas, Texas Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 1995-A maturing on October 1, 2003, Series 1996 maturing on October 1, 2003 and Series 1997 maturing on April 1, 2004 - Financing: No cost consideration to the City **[03-0667; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

11. Authorize a professional services contract with The Carter Law Firm, P.C., to provide legal services in the lawsuit styled James F. Hill, et al. v. City of Dallas, Cause No. 95-00975-J, and any other proceedings relating to the subject matter of this lawsuit - Not to exceed \$250,000 - Financing: Current Funds **[03-0668; APPROVED]**
12. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of White & Wiggins, L.L.P., for additional legal services necessary in the lawsuit styled Loretta Anderson v. City of Dallas, Civil Action No. 3:01-CV-0861-R, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$75,000, from \$75,000 to \$150,000 - Financing: Current Funds **[03-0669; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

13. A resolution supporting three service plan alignments for Dallas Area Rapid Transit light rail transit service through the Medical Center area (Union Pacific Railroad, Harry Hines and Design Option D) and endorsing a framework for continued cooperation with Dallas Area Rapid Transit to provide light rail transit service to Love Field - Financing: No cost consideration to the City **[03-0670; APPROVED AS AMENDED]**

ITEMS FOR FURTHER CONSIDERATION

14. Authorize a professional services contract with Economists.com for professional services necessary in a billing and contract dispute between the City of Dallas and SBC - Not to exceed \$54,000 - Financing: Current Funds **[03-0671; APPROVED]**

CORRECTIONS:

55. An application for ~~and ordinances granting~~ the termination of Specific Use Permit No. 370 for a private community center, day care center, and mission station and the creation of a new Specific Use Permit for a child care facility on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District and an ordinance granting an amendment to Specific Use Permit No. 370 on the north corner of the intersection of Leland Avenue and Warburg Street
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
Z023-105 (MF) [03-0637]
74. Authorize the City of Dallas Housing Finance Corporation to amend its Multifamily Program policy guidelines with respect to tax-exempt bond financing for multifamily housing projects will requiring evidence of both neighborhood support for the project as well as on-going participation by the community in project planning and development oversight and a focus on multifamily housing projects involving: **(1)** rehabilitation or replacement; **(2)** new senior developments; **(3)** new construction in targeted distressed neighborhoods (as defined by the City Council from time to time); **(4)** Community Housing Development Organization initiated projects; and **(5)** new construction of affordable family housing outside of targeted areas where the developer receives tax-exempt bond financing under the State of Texas Private Activity Bond Cap ~~and provides evidence of both neighborhood support for the project as well as on-going participation by the community in project planning and development oversight~~ - Financing: No cost consideration to the City **[03-0656]**