

AGENDA
CITY COUNCIL MEETING
FEBRUARY 26, 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) [03-0750]

Agenda Item/Open Microphone Speakers [03-0751]

VOTING AGENDA

1. Approval of Minutes of the February 12, 2003 City Council Meeting [03-0752;
APPROVED AS CORRECTED]

CONSENT AGENDA [03-0753]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Camp Dresser & McKee, Inc. for the diffused air and process improvements at the Southside Wastewater Treatment Plant - \$3,189,719 - Financing: Water Utilities Capital Improvement Funds [03-0754;
APPROVED]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for carpet replacement in the Hiring Center and other reconfigured office spaces on the first and second floors at City Hall - Spectra Contract Flooring, lowest responsible bidder of eight - \$159,152 - Financing: 1998 Bond Funds **[03-0755; APPROVED]**
4. Authorize a contract for heating, ventilation and air conditioning renovation at the Dallas Police Department's Property Building located at 1725 Baylor Street - John Cook and Associates, Inc., lowest responsible bidder of four - \$400,500 - Financing: Capital Construction Funds (\$140,657), General Capital Reserve Funds (\$259,843) **[03-0756; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize a contract for construction of a basketball court and playground renovation at Randall Park - A S Construction, lowest responsible bidder of six - \$72,990 - Financing: 2000-01 Community Development Grant Funds (\$19,427), 2001-02 Community Development Reprogramming Grant Funds (\$52,500) and 1995 Bond Funds (\$1,063) **[03-0757; APPROVED]**
6. Authorize a contract for the construction of storm drainage improvements at the Rush Creek crossings of Highgate Lane, Rockaway Drive and Santa Barbara Drive - P & E Contractors, Inc., lowest responsible bidder of five - \$564,728 - Financing: 1998 Bond Funds (\$552,403), Water Utilities Capital Construction Funds (\$12,325) **[03-0758; APPROVED]**
7. Authorize a contract for the construction of the Street Maintenance facility to be located at the Southeast Service Center at 2721 Municipal Street - Starling Richardson Construction, Inc., lowest responsible bidder of seven - \$3,165,000 - Financing: 1985 Bond Funds **[03-0759; APPROVED]**
8. Authorize a contract for asphaltic concrete street resurfacing, restoration and rehabilitation on various improved and unimproved streets (list attached) - All-Tex Paving, Inc., lowest responsible bidder of five - \$3,210,634 - Financing: Current Funds (\$2,982,244), and Water Utilities Capital Construction Funds (\$228,390) **[03-0760; APPROVED AS AN INDIVIDUAL ITEM]**
9. Authorize a contract for the construction of water and wastewater main replacements at various locations within the Lower White Rock Creek Drainage Area Phase I (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of six - \$2,838,634 - Financing: Water Utilities Bond Funds **[03-0761; APPROVED]**
10. Authorize an increase in the contract with Mart, Inc. for installation of ball field lighting at Cummings Park - \$67,100, from \$681,148 to \$748,248 - Financing: 2001-02 Community Development Grant Funds (\$65,000) and 1995 Bond Funds (\$2,100) **[03-0762; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

11. Authorize an increase in the contract with Dee Brown, Inc. to provide anchor bolts of sufficient length in order to provide additional shear capacity for the Latino Cultural Center project in an amount not to exceed \$30,417, from \$480,709 to \$511,126, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[03-0763; APPROVED AS CORRECTED ON THE ADDENDUM]**
12. Authorize an increase in the contract with Manhattan Construction Company for construction changes related to structural, electrical, fire protection, plumbing, architectural work and obstruction allowance adjustment for the Dallas Convention Center Expansion and Renovation 2002 project - \$64,322, from \$97,105,042 to \$97,169,364, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[03-0764; APPROVED]**
13. Authorize Supplemental Agreement No. 12 to the contract with Phillips Swager Associates to provide additional architectural services required for completion of the Jack Evans Police Headquarters facility - \$465,420, from \$5,236,881 to \$5,702,301 - Financing: 1998 Bond Funds **[03-0765; APPROVED AS AN INDIVIDUAL ITEM]**

Construction Miscellaneous

14. Authorize payment to the City of Plano for the City's share of design, construction, and construction management for paving and bridge improvements on Midway Road from the Kansas City Southern Railroad to International Parkway - \$23,119 - Financing: 1998 Bond Funds **[03-0766; APPROVED]**
15. Authorize **(1)** rescinding the contract with Metro Landscaping & Irrigation previously approved on June 12, 2002 in the amount of \$99,786, pursuant to Resolution No. 02-1732 for the landscape for the Latino Cultural Center, and, **(2)** a contract for the construction of the landscape for the Latino Cultural Center - Jonmar Services, second lowest responsible bidder of seven - \$113,644, within the Guaranteed Maximum Price - Financing: No additional cost consideration to the City **[03-0767; APPROVED AS AN INDIVIDUAL ITEM]**
16. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements on Blue Ridge Boulevard from Los Angeles Boulevard to Rio Grande Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on April 9, 2003, to receive citizens' comments - Financing: No cost consideration to the City **[03-0768; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION

17. Authorize settlement in lieu of proceeding further with condemnation of ASI Texas LLC for a tract of land containing approximately 3,147 square feet for the Colorado Boulevard paving improvement project located near the intersection of Colorado and Jefferson Boulevards - \$45,000 - Financing: 1995 Bond Funds **[03-0769; APPROVED]**

LAND MISCELLANEOUS

18. An ordinance granting a private license to WestVan Properties, Ltd. for the use of approximately 84,000 square feet of land to maintain existing landscaping on portions of Conveyor Lane right-of-way near its intersection with Inwood Road - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[03-0770; ORDINANCE 25190; APPROVED]**
19. An ordinance granting a private license to Deep Ellum Warehouses, Ltd. for the use of approximately 749 square feet of land to construct and maintain a sidewalk cafe, platform with stairs, an awning and landscaping on and over portions of Canton Street right-of-way located near its intersection with Pacific Avenue - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[03-0771; ORDINANCE 25191; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

20. Authorize a twenty-four-month price agreement for water bill envelopes and stock paper with the lowest responsible bidder of six - Berndt Business Forms, Inc. - Not to exceed \$320,403 - Financing: Water Utilities Current Funds **[03-0772; APPROVED]**
21. Authorize a thirty-six-month service contract for temporary industrial labor with the lowest responsible bidder of thirteen - The RidMok Group - Not to exceed \$3,859,929 - Financing: Current Funds (\$3,416,259), Water Utilities Current Funds (\$443,670) **[03-0773; APPROVED AS AN INDIVIDUAL ITEM]**
22. Authorize a twenty-four-month service contract for micro-surfacing and slurry seal treatments with the lowest responsible bidders of two (list attached) - Viking Construction Inc. and Ballou Construction Co., Inc. - Not to exceed \$5,415,000 - Financing: Current Funds **[03-0774; APPROVED]**
23. Authorize **(1)** the rejection of bids received for clinical pathology testing services, and **(2)** the re-advertisement for new bids for clinical pathology testing services - Financing: No cost consideration to the City **[03-0775; APPROVED]**
24. Authorize a thirty-six-month price agreement for industrial and medical gases with the lowest responsible bidder of five - Praxair Distribution, Inc. - Not to exceed \$208,791 - Financing: Water Utilities Current Funds (\$116,478), Current Funds (\$92,313) **[03-0776; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

25. Authorize a thirty-six-month service contract for farrier services with the only bidder - Pete Hyatt-Farrier - Not to exceed \$123,165 - Financing: Current Funds
[03-0777; APPROVED]

MISCELLANEOUS

26. Authorize settlement of a lawsuit, styled Jesus Zamora and Rebecca Serna v. Shirley Ruth Thomas and City of Dallas, Cause No. 01-10466-F - \$8,000 - Financing: Current Funds **[03-0778; APPROVED]**
27. Authorize a real property tax abatement agreement with Robert K. Milligan and acting by and through its general partner, What's Hot! Fun World Ltd. for the purpose of granting a seven-year abatement of 90% of the taxes on new real property value resulting from the development of a roller skating/entertainment center to be located within City of Dallas Enterprise Zone Three at 400 S. Buckner Boulevard - Revenue: First year new real property tax revenue estimated at \$700; seven-year new real property tax revenue estimated at \$4,899; (Estimated revenue foregone for seven-year abatement is \$44,087) - Financing: No cost consideration to the City **[03-0779; APPROVED]**
28. Authorize a real property tax abatement agreement with Matthew Investments Southwest Inc., X and Libbie Schepps, LLC for the purpose of granting a five-year abatement of 50% of the taxes on new real property value resulting from the development of a Gilley's multi-themed entertainment facility to be located within the City of Dallas Enterprise Community at 1135 S. Lamar - Revenue: First year new real property tax revenue estimated at \$10,497; five-year new real property tax revenue estimated at \$136,461; (Estimated revenue foregone for five-year abatement is \$136,461) - Financing: No cost consideration to the City **[03-0780; APPROVED AS AN INDIVIDUAL ITEM]**

Restoration of Dallas Power & Light Complex (City Center TIF District) **Note:** Item Nos. 29 and 30 must be considered collectively.

29. * Authorize **(1)** a development agreement with Hamilton DPL, LP to provide for the funding of facade, demolition, environmental remediation, and other authorized improvements related to the redevelopment of the Dallas Power and Light Buildings located at 1506 and 1512 Commerce Street in Tax Increment Financing Reinvestment Zone Five, City of Dallas, Texas (City Center TIF District) in an amount not to exceed \$6,500,000; and **(2)** the establishment of appropriations in the amount of \$6,500,000 in the City Center TIF District Fund - Total not to exceed \$6,500,000 - Financing: City Center TIF District Funds (to be advanced by a private developer and reimbursed from the City Center TIF District Fund) **[03-0781; APPROVED AS AMENDED]**

Restoration of Dallas Power & Light Complex
(City Center TIF District) (Continued)

Note: Item Nos. 29 and 30
must be considered collectively.

30. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District) to reimburse Hamilton DPL, LP for funds advanced pursuant to a development agreement between the City and Hamilton DPL, LP in an amount not to exceed \$6,500,000 plus interest, for facade improvements, demolition, environmental remediation, and other authorized improvements related to the redevelopment of the Dallas Power and Light Buildings located at 1506 and 1512 Commerce Street in the City Center TIF District - \$6,500,000 - 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 the City Center TIF District Fund **[03-0782; APPROVED AS AMENDED]**
31. * Authorize a Neighborhood Revitalization and Historic Preservation program tax abatement for the Dallas Power and Light buildings located at 1506 and 1512 Commerce Street (Estimated revenue foregone for an abatement ending on December 31, 2011 is \$1,796,852) - Financing: No cost consideration to the City **[03-0783; APPROVED AS AMENDED]**
32. An ordinance authorizing a correction to Ordinance No. 25091 for a Specific Use Permit for a child care facility on Polk Street north of Kirnwood Drive to correct the property description (Z012-213(JC) - Financing: No cost consideration to the City **[03-0784; ORDINANCE 25192; APPROVED]**
33. An ordinance ratifying and adopting a boundary adjustment agreement between the cities of Dallas, Garland and Mesquite adjusting their common boundary lines by modifying the location of the ten-foot wide strip that connects Dallas to Lake Ray Hubbard northwest of the intersection of Interstate Highway 30 and Belt Line Road - Financing: No cost consideration to the City **[03-0785; ORDINANCE 25193; APPROVED]**
34. Authorize **(1)** the acceptance of additional grant funds from the Texas Department of Health to increase funding for the enhancement of the City of Dallas' Immunization Initiative Program for the period of September 1, 2002 through August 31, 2003 and **(2)** an increase in appropriations in the amount of \$12,000, from \$254,524 to \$266,524 in the Immunization Initiative Fund - Not to exceed \$12,000, from \$254,524 to \$266,524 - Financing: Texas Department of Health Grant Funds **[03-0786; APPROVED]**
35. Authorize an Interlocal Agreement with the Dallas County Department of Health and Human Services and the Dallas Area Agency on Aging for thirty-six months, with two twelve-month renewal options, to provide health, nutrition, recreation and social services activities for senior citizens at the Martin Luther King, Jr. Recreation Center and the West Dallas Multipurpose Center for the period from January 1, 2003 to December 31, 2005 - Financing: No cost consideration to the City **[03-0787; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

36. Authorize a professional services contract with Temporary Medical Staffing, Inc., to provide a phlebotomist to obtain blood specimens for lead screening for residents of the City of Dallas for the period January 1, 2003 through December 31, 2003 - Not to exceed \$36,000 - Financing: Current Funds **[03-0788; APPROVED]**
37. Authorize a Home Repair Program replacement housing loan for the reconstruction on-site of one home in accordance with the Home Repair Program Statement requirements for the property located at 3120 Carpenter Avenue - Not to exceed \$55,000 - Financing: 2000-01 HOME Funds **[03-0789; APPROVED]**
38. Authorize a secured, no interest, forgivable loan to TXS United Housing Program, Inc. for acquisition, renovation and completion of construction of the Mexicana Community Center located at 4718 and 4726 Mexicana Street, to provide neighborhood services and community development activities for a five year term - Not to exceed \$225,000 - Financing: 2002-03 Urban Development Action Grant Funds **[03-0790; APPROVED]**
39. Authorize **(1)** the acceptance of a grant from the Downtown Improvement District in the amount of \$12,375 for an outdoor sound system to provide for programming on the Plaza of the J. Erik Jonsson Central Library, and execution of the grant agreement, and **(2)** the City's match in an amount not to exceed \$12,375 - Total not to exceed \$24,750 - Financing: Downtown Improvement District Funds (\$12,375) and Central Library Gifts and Donation Funds (\$12,375) **[03-0791; APPROVED AS AN INDIVIDUAL ITEM]**
40. Authorize a public hearing to be held on March 26, 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 **[03-0792; APPROVED]**
41. Authorize amendments to the City of Dallas 457 Deferred Compensation Plan for City Employees Restated Plan Document and to the City of Dallas 401(k) Retirement Savings Plan and Trust As Amended and Restated to change the frequency of regular elections of the elected members of the respective boards of trustees from two year to four year intervals and to provide for the replacement of elected trustees who resign before the expiration of their term - Financing: No cost consideration to the City **[03-0793; APPROVED]**
42. Authorize **(1)** the City's participation with the Steering Committee of Texas Utilities Electric Service Area Cities in hearings before the Public Utilities Commission of Texas concerning electric restructuring and rates to be charged by TXU Electric, and **(2)** the establishment of appropriations in the amount of \$226,447 in the TXU Reserve Fund to pay the City's 2002 and 2003 assessments - Not to exceed \$226,447 - Financing: TXU Reserve Funds **[03-0794; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

43. Authorize an eighteen-month contract with Pierre Craig for management and operation of Samuell Grand Tennis Center located at 6200 East Grand Avenue for the period beginning March 1, 2003 through September 30, 2004 - Not to exceed \$19,000 - Financing: Current Funds **[03-0795; APPROVED]**
44. Authorize **(1)** public hearings to be held on March 26, 2003 and April 9, 2003 to receive citizens' comments on the renewal of the Dallas juvenile curfew ordinance, and **(2)** at the close of the public hearing on April 9, 2003, consideration of an ordinance amending Chapter 31 of the Dallas City Code to readopt and continue in effect the juvenile curfew ordinance - Financing: No cost consideration to the City **[03-0796; APPROVED]**
45. Authorize a public hearing to be held on March 26, 2003, to receive citizens' comments regarding an application to close Waterview Road at Buckner Boulevard under the provisions of the City's Residential Street Policy - Financing: No cost consideration to the City **[03-0797; APPROVED]**
46. Authorize a public hearing to be held on March 26, 2003, to receive citizens' comments regarding an application to close Leander Drive at Barberry Drive under the provisions of the City's Residential Street Policy - Financing: No cost consideration to the City **[03-0798; APPROVED]**
47. Authorize a contract with Gleneagles Country Club to provide interruptible untreated water from a diversion point located along White Rock Creek for five years, with two five-year extensions, for irrigation of the Gleneagles Country Club located in Plano, Texas - Estimated Annual Revenue: \$34,666 **[03-0799; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [03-0800]

48. An application for and an ordinance granting an RR Regional Retail District on property zoned an A(A) Agriculture District on the north side of Wheatland Road, east of Old Hickory Trail and south of Interstate 20
Recommendation of Staff and CPC: Approval
Z023-129 (MF) **[03-0801; ORDINANCE 25194; CPC RECOMMENDATION FOLLOWED]**
49. An application for and ordinances granting a CR Community Retail District and a Specific Use Permit for a Mini-warehouse on property zoned a GO General Office District north of LBJ Freeway between Forest Lane and Abrams Road
Recommendation of Staff and CPC: Approval of a CR Community Retail District and a Specific Use Permit for a Mini-warehouse for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan and conditions
Z023-132 (WE) **[03-0802; ORDINANCE 25195 AND 25196; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

50. An application for an MU-3(SAH) Mixed Use (Standard Affordable Housing) District on property zoned as Planned Development District No. 55 for General Office Uses, a Motion Picture Theater, and Retail Uses and Planned Development District No. 92 for Retail Shopping and Office Uses on North Central Expressway between Park Lane and Blackwell Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z012-252(RB) [03-0803; DELETED ON THE ADDENDUM]
51. An application for a CR Community Retail District and an ordinance granting a P(A) Parking District on property zoned an R-7.5(A) Single Family District on Westmoreland Road north of Davis Street
Recommendation of Staff and CPC: Denial of a CR Community Retail District and approval of a P(A) Parking District, subject to a site plan
Z012-284 (FD) [03-0804; ORDINANCE 25197; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

52. An application for an IR Industrial Research District on property zoned a TH-3(A) Townhouse District on the north side of Seale Street between Vilbig Road and Navaro Street
Recommendation of Staff and CPC: Denial
Z012-279 (RB) [03-0805; CPC RECOMMENDATION FOLLOWED]
53. A City Council authorized hearing to consider proper zoning with consideration being given to an amendment to Planned Development District No. 407 for Multifamily and TH-2(A) Townhouse District Uses to permit retirement housing by right on property located on Kiest Boulevard, east of Boulder Drive and an ordinance granting an amendment to Planned Development District No. 407
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and amending conditions
Z012-293(RB) [03-0806; ORDINANCE 25198; CPC RECOMMENDATION FOLLOWED]
54. An application for an amendment to Subarea B, which is limited to duplex and single family uses, within Planned Development District No. 34 to allow a multifamily use on the north corner of the intersection of Ferguson Road and Graycliff Drive
Recommendation of Staff and CPC: Denial
Z012-300 (MF) [03-0807; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

55. An application for a Specific Use Permit for a Community Service Center use on property zoned an R-5(A) Single Family District on the southeast corner of the intersection of Luzon Street and Dutch Harbor Avenue
Recommendation of Staff: Approval, for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Denial without prejudice
Z023-133 (WE) [03-0808; OVERRULE THE CPC; STAFF RECOMMENDATION FOLLOWED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

56. An application for and an ordinance granting a Specific Use Permit for a Government Installation Other Than Listed for a City operations center on property zoned an IM Industrial Manufacturing District on the south side of Singleton Boulevard, east and west of Weir Street
Recommendation of Staff and CPC: Approval, subject to a site plan and conditions
Z023-139(DC) [03-0809; OVERRULE THE CPC; DENIED WITHOUT PREJUDICE]
Note: This item was considered by the City Council at a public hearing on January 22, 2003, and was taken under advisement until February 26, 2003, with the public hearing open.
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) [03-0810; POSTPONED UNTIL 03/26/03; HEARING OPEN]
Note: This item was considered by the City Council at a public hearing on February 12, 2003, and was taken under advisement until February 26, 2003, with the public hearing open.

ITEMS FOR INDIVIDUAL CONSIDERATION

58. 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) **[03-0811; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

59. Authorize **(1)** the creation of three new positions (Court Specialist, Bailiff, and Prosecuting Attorney) and security personnel and equipment for the purpose of supporting the newly created Magistrate Court; and **(2)** an increase in appropriations in the amount of \$147,825 in the City Attorney's Office, Court and Detention Services, Judiciary and Equipment and Building Services budgets - Not to exceed \$147,825 - Financing: Contingency Reserve Funds **[03-0812; APPROVED]**
60. An ordinance amending Chapter 52 of the Dallas City Code to provide regulations for all grading or paving activity on a property in the city with certain requirements, procedures, penalties for violations, defenses and permit fees - Estimated Annual Revenue: \$5,000 **[03-0813; ORDINANCE 25199; APPROVED]**
61. Authorize **(1)** a Supplemental Agreement to the contract with Arthur J. Gallagher & Co.-Dallas for the purchase of terrorism risk insurance to be endorsed to the City's property insurance policies for the period of November 26, 2002 through October 1, 2003 - \$190,000, from \$3,095,015 to \$3,285,015; and **(2)** an increase in appropriations in the amount of \$105,657 in the Non-Departmental Budget - Total not to exceed \$190,000 - Financing: Contingency Reserve Funds (\$105,657), Aviation Current Funds (\$14,141), Convention and Event Services Current Funds (\$46,826), Water Utilities Current Funds (\$23,376) **[03-0814; CITY MANAGER WITHDREW THE ITEM]**
62. Authorize Second Amended Proposed Procedural Order No. 02-11-1-JR creating a Dallas Municipal Court Juror Survey - Financing: No cost consideration to the City **[03-0815; APPROVED]**
63. Authorize Procedural Order No. 02-12-1-JR modifying the Municipal Court Window Fine Schedule - Financing: No cost consideration to the City **[03-0816; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

64. An ordinance amending Chapter 45 of the Dallas City Code to extend taxicab age limits by twelve months for all vehicles authorized as taxicabs on February 26, 2003 - Financing: No cost consideration to the City **[03-0817; ORDINANCE 25200; APPROVED]**
65. Authorize a 120-day moratorium effective on February 26, 2003, freezing the current number of taxicab firms, taxicabs inspected and decals issued, and taxicab drivers permitted in the city of Dallas - Financing: No cost consideration to the City **[03-0818; APPROVED AS CORRECTED ON THE ADDENDUM]**
66. 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 **[03-0819; APPROVED]**
67. 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 **[03-0820; APPROVED]**

ADDENDUM

ADDITIONS:

Closed Session **[03-0821; CLOSED SESSION NOT HELD]**

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

- Ann Tenison Hereford Webb, Lizann Tenison Webb, Bryon James Webb and Camille Elizabeth Webb Sewell v. City of Dallas, Civil Action No. 3:00-CV-2558-R
- Legal issues involving TXU US Holdings Company (Electric) and TXU Gas Company (Gas) Franchise Amendment proposal and related matters

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize an increase in the contract with Meridian Commercial, Inc. for modifications for the construction of the Trammell Crow Visitor Education Pavilion at the Dallas Arboretum - \$105,152, from \$10,929,237 to \$11,034,389 - Financing: Dallas Arboretum and Botanical Society Funds **[03-0822; APPROVED]**

Construction Miscellaneous

2. Authorize **(1)** the acceptance of a gift in the amount of \$170,000 from Schepps Dairy, Inc., to the Department of Street Services for the reconstruction of paving improvements in the 4800 block of Sapphire; **(2)** an increase in appropriations in the amount of \$170,000 in the Department of Street Services budget - Financing: No cost consideration to the City **[03-0823; APPROVED]**

LAND MISCELLANEOUS

3. An ordinance abandoning a portion of Central Expressway to Camden Property Trust, the abutting owner, containing approximately 4,268 square feet of land located near its intersection with Marilla Street, and authorizing the quitclaim providing for the dedication of approximately 32,076 square feet of land needed for street right-of-way - Revenue: \$5,000 plus the \$20 ordinance publication fee **[03-0824; ORDINANCE 25201; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES, AND SERVICES

4. Authorize a twenty-one-month professional services contract with Haston Associates for environmental monitoring services for solid waste disposal facilities from March 1, 2003, through December 31, 2004 - Not to exceed \$230,498 - Financing: Current Funds (subject to annual appropriations) **[03-0825; APPROVED]**
5. Authorize a thirty-six-month service contract for grounds maintenance at various Park and Recreation and Library properties with the lowest responsible bidder of ten - Jackson's Lawn Service - Not to exceed \$1,609,510 - Financing: Current Funds **[03-0826; APPROVED]**
6. Authorize a service contract for restoration and painting services at Martin Weiss and Pleasant Oaks swimming pools with the only bidder - Sunbelt Pools, Inc. - Not to exceed \$130,516 - Financing: 1998 Bond Funds **[03-0827; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

7. An ordinance abandoning a portion of Dragon Street to Greyhound Lines, Inc., the abutting owner, containing approximately 29,116 square feet of land located near its intersection with Continental Avenue, authorizing the quitclaim and providing for the dedication of approximately 9,763 square feet of land needed for street right-of-way - Revenue: \$238,526 plus the \$20 ordinance publication fee **[03-0828; DID NOT PASS]**
8. Authorize **(1)** the rescission of Council Resolution No. 00-1699, adopted on May 24, 2000, providing an economic development grant to the City of Dallas Business Development Corporation for the development of public infrastructure improvements supporting an 18-hole golf course at Dallas Executive Airport f/k/a Redbird Airport; and **(2)** a loan agreement with Southwest Center Associates, LLC, a California Limited Liability Company, for costs associated with the redevelopment of the former J.C. Penney building at Southwest Center Mall in Southern Dallas for a Cinemark movie theater - Not to exceed \$500,000 - Financing: Public/Private Partnership Funds **[03-0829; APPROVED]**
9. Authorize approval of proposed Neighborhood Investment Program (NIP) selection criteria and designate five (census tracts), as NIP target areas for two years beginning October 1, 2003 - Financing: No cost consideration to the City **[03-0830; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

10. An ordinance amending Chapter 34 of the Dallas City Code to eliminate the lump sum payment of sick leave for all employees hired by the City on or after March 1, 2003 - Financing: No cost consideration to the City **[03-0831; DEFERRED UNTIL 03/26/03]**
11. An ordinance amending Chapter 12A of the Dallas City Code to allow City officials to lend their names and official City titles in connection with any election ordered by the City of Dallas on a measure or proposition (via Mayor Miller) **[03-0832; ORDINANCE 25202; APPROVED AS AMENDED]**

CORRECTIONS:

11. Authorize **(1)** an increase in the contract with Dee Brown, Inc. to provide anchor bolts of sufficient length in order to provide additional shear capacity for the Latino Cultural Center project in an amount not to exceed \$30,417, from \$480,709 to \$511,126, within the Guaranteed Maximum Price, **(2)** Supplemental Agreement No. 3 to the contract with Thos. S. Byrne, Inc. to increase the Guaranteed Maximum Price in an amount not to exceed \$83,932, from \$7,835,128 to \$7,919,060 and the total contract amount from \$7,910,128 to \$7,994,060, for relocation of existing overhead utility lines located along Good-Latimer Expressway and Live Oak Street, and **(3)** an increase in appropriations in the amount of \$83,932 in the Latino Cultural Center Donation Fund - Total not to exceed \$83,932 - Financing: ~~No additional cost consideration to the City~~ Private Funds **[03-0762]**
65. Authorize a 120-day moratorium effective on February 26, 2003, freezing the current number of taxicab firms, ~~taxicabs inspected and decals issued,~~ vehicles, and taxicab drivers permitted in the city of Dallas - Financing: No cost consideration to the City **[03-0818]**

DELETION:

50. An application for an MU-3(SAH) Mixed Use (Standard Affordable Housing) District on property zoned as Planned Development District No. 55 for General Office Uses, a Motion Picture Theater, and Retail Uses and Planned Development District No. 92 for Retail Shopping and Office Uses on North Central Expressway between Park Lane and Blackwell Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z012-252(RB) **[03-0803]**